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NOTE

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2548th MEETING

Held in New York on Thursday, 16 August 1984, at 10.30 a.m.

President: Mr. Léandre BASSOLE (Burkina Faso)

Present: The representatives of the following States: Burkina Faso, China, Egypt, France, India, Malta, Netherlands, Nicaragua, Pakistan, Peru, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America, Zimbabwe.

Provisional agenda (S/Agenda/2548)

1. Adoption of the agenda
2. The question of South Africa:
Letter dated 8 August 1984 from the Permanent Representative of Algeria to the United Nations addressed to the President of the Security Council (S/16692)

The meeting was called to order at 11.10 a.m.

Statement by the President

1. The PRESIDENT (*interpretation from French*): Today is an extraordinary day. It is the day when, having become a Member of the United Nations on 20 September 1960, my country has for the first time during its history as an independent, free and sovereign nation acceded to the presidency of the Security Council.
2. At this solemn moment it is my great honour to convey to the Council, and through it to the entire world, the message of peace of the people, the National Council of the Revolution and the Revolutionary Government of Burkina Faso. Aware of the lofty and delicate responsibilities borne by the President of the Security Council, my delegation intends to discharge those responsibilities fully and to be present wherever and whenever international peace and security are being discussed.

Expression of thanks to the retiring President

3. As this is the first meeting of the Security Council for the month of August, I should like at the very outset to pay tribute to Mrs. Jeane Kirkpatrick, representative of the United States, for the great diplomatic skill and courtesy with which she conducted the business of the Council last month. I am sure I speak for all members in expressing our admiration and deep appreciation to

Mrs. Kirkpatrick for her service as President of the Council for the month of July.

Adoption of the agenda

The agenda was adopted.

The question of South Africa:

Letter dated 8 August 1984 from the Permanent Representative of Algeria to the United Nations addressed to the President of the Security Council (S/16692)

4. The PRESIDENT (*interpretation from French*): I should like to inform members of the Council that I have received letters from the representatives of Algeria, Argentina, Czechoslovakia, Nigeria, South Africa and Thailand in which they request to be invited to participate in the discussion of the item on the agenda. In accordance with the usual practice, I propose, with the consent of the Council, to invite those representatives to participate in the discussion without the right to vote, in conformity with the relevant provisions of the Charter and rule 37 of the provisional rules of procedure.

At the invitation of the President, Mr. Sahnoun (Algeria) took a place at the Council table; Mr. Muñiz (Argentina), Mr. César (Czechoslovakia), Mr. Onobu (Nigeria), Mr. von Schirnding (South Africa) and Mr. Kasemsri (Thailand) took the places reserved for them at the side of the Council chamber.

5. The PRESIDENT (*interpretation from French*): I should like to inform the members of the Council that I have received a letter dated 15 August from the Acting Chairman of the Special Committee against Apartheid which reads as follows:

"I have the honour to request the Council to permit me to participate, on behalf of the Special Committee against Apartheid, under the provisions of rule 39 of the Council's provisional rules of procedure, in the Council's consideration of the item entitled 'The question of South Africa'."

6. On previous occasions the Council has extended invitations to representatives of other United Nations bodies in connection with the consideration of matters on its agenda. In accordance with past practice, I propose that, pursuant to rule 39 of its provisional rules of procedure, the Council extend an invitation to

the Acting Chairman of the Special Committee against Apartheid.

At the invitation of the President, Mr. Bhatt, Acting Chairman of the Special Committee against Apartheid, took a place at the Council table.

7. The PRESIDENT (*interpretation from French*): I should like to inform the members of the Council that I have received a letter dated 15 August [S/16698] from the representatives of Burkina Faso, Egypt and Zimbabwe the text of which reads as follows:

"We, the undersigned, members of the Security Council, have the honour to request that during its meetings devoted to consideration of the item entitled 'The question of South Africa' the Security Council extend an invitation under rule 39 of its provisional rules of procedure to Mr. Mfanafuthi J. Makatini, representative of the African National Congress of South Africa."

If I hear no objection, I shall take it that the Council agrees to the request.

It was so decided.

8. The PRESIDENT (*interpretation from French*): I wish to inform the members of the Council that I have received another letter dated 15 August [S/16699], from the representatives of Burkina Faso, Egypt and Zimbabwe, which reads as follows:

"We, the undersigned, members of the Security Council, have the honour to request that during its meetings devoted to consideration of the item entitled 'The question of South Africa' the Security Council extend an invitation under rule 39 of its provisional rules of procedure to Mr. Ahmed Gora Ebrahim, representative of the Pan Africanist Congress of Azania."

If I hear no objection, I shall take it that the Council agrees to the request.

It was so decided.

9. The PRESIDENT (*interpretation from French*): This meeting of the Council has been convened in accordance with the request made by the representative of Algeria on behalf of the Group of African States, contained in a letter dated 8 August [S/16692] addressed to the President of the Council. I should like to draw the attention of members of the Council to document S/16319 which contains the text of a note by the Secretary-General drawing attention to paragraph 6 of General Assembly resolution 38/11 of 15 November 1983.

10. I call upon the first speaker, the representative of Algeria, who wishes to make a statement in his capacity as Chairman of the Group of African States for the month of August.

11. Mr. SAHNOUN (Algeria) (*interpretation from French*): Allow me, Sir, to convey to you, on behalf of the Group of African States and in my own name, heartfelt congratulations on your assumption of the presidency of the Council for the current month. I am particularly pleased to do so, since you represent a fraternal country, Burkina Faso, whose staunch commitment to freedom and dignity makes you very well placed to understand the tragedy of the people of South Africa. We are aware of your qualities as skilled diplomat and are convinced that you will with competence and calm make the Council face up to its responsibilities in the common struggle against *apartheid* and for restitution of the national rights of the people of South Africa.

12. I should also like to congratulate your predecessor, the representative of the United States, who so ably conducted the deliberations of this body last month.

13. Finally I should like very sincerely to thank you, Sir, and the members of the Council for having kindly invited me to address this body as Chairman of the Group of African States.

14. The Council is meeting today to consider the serious situation prevailing in South Africa following the decision of the Pretoria leaders to impose so-called constitutional reforms that seek to entrench and perpetuate the *apartheid* system.

15. Seriously disquieted by the resistance of the oppressed people of South Africa and their national movement, and internationally isolated because of the policy of *apartheid*, the Pretoria régime has now taken recourse to constitutional ploys accompanied by a massive propaganda campaign to dull the vigilance of the international community.

16. Thus on 2 November 1983 an exclusively white minority stated its position on a so-called constitution that would arbitrarily determine the fate of the vast majority of the people of South Africa.

17. Offered in the form of a euphemism which proves that that which is preposterous does not kill—as a "change in the right direction"—that constitution completes a political, juridical and police arsenal that makes the indigenous people non-persons. The South African blacks are not only unwanted in their own land, they do not exist. Thus they have been deprived of the first fundamental right of a man in his country, the right to citizenship.

18. According to this new constitution, endorsed—we are told—by a white electorate, 24 million South African blacks have suddenly been declared aliens in their own country. That text, faithful to the cardinal principle of *apartheid*, the hierarchy of races, provides for the establishment of a so-called three-house Parliament: one for a so-called racial group, that is the

whites, one for those who are called Coloureds in Pretoria, and one for persons of Asian origin. As for the blacks, according to Pretoria they do not deserve to be called a racial group or to have any kind of representation. They have simply been disregarded because according to Pretoria they are aliens.

19. Under the terms of this constitutional charade, each house will discuss its own matters. However, the house for whites will be able to examine all questions, because everything that affects the country concerns them, whereas the Coloureds and the people of Asian origin will not be able to discuss any matter unless it has been previously approved by the white President of the State. Clearly these two racial categories referred to by Pretoria will never be able to threaten the power of the white minority, since seats have been distributed in such a way that the whites will always retain a parliamentary majority.

20. This, then, is *apartheid's* new democracy, to which, unfortunately, the Governments of some Member States seem to accord some credibility.

21. Because of the division of power, constitutional bantustans are being offered to the Coloureds and people of Asian origin. Since the blacks of South Africa—the true people of that land—are destined one day to be dumped in so-called homelands, which are really concentration camps, it remains for Pretoria to find a spot for the other non-whites to prevent them from harming the power of the whites.

22. It is against this background that we should view the latest decision by the Pretoria leaders. Mindful of the danger of the struggle of the people of South Africa and the national liberation movement, the Pretoria leaders have thus had recourse to these constitutional manoeuvres to break the unity of the oppressed and to perpetuate the *apartheid* system.

23. An initial consequence of these so-called constitutional reforms is the legitimization of massive recruitment for the armed forces of the *apartheid* régime of those called Coloureds and of persons of Asian origin, who would thus unwittingly become the instruments of a policy of repression in the country and aggression against the Namibian people and the people of the independent African States.

24. This new text does not open up the way to any constructive change, as some might believe. In the past Pretoria has always had recourse to legislative and constitutional manoeuvres to strengthen and consolidate its policy of racial segregation and to intensify its oppression of the people of South Africa.

25. That was true of the 1909 South Africa Act, which placed power in South Africa in the hands of a white minority and deprived the African majority of its basic rights.

26. Since 1948 the institutionalization of *apartheid* has been implemented through other legislative acts, including the Group Areas Act, which established segregation in places of work and residence, the Population Registration Act, which divided the people into racial categories, the Bantu Homelands Citizenship Act, whereby blacks are dumped in Bantustans, the Prohibition of Political Interference Act, which prohibited multiracial political parties, the pass laws and the so-called 1961 referendum on the republic of the whites.

27. It is clear that the new constitution is merely another link in a long chain intended to strengthen the *apartheid* régime and to perpetuate domination by the white minority.

28. The ideology of the Pretoria régime is such that we cannot hope to get the leaders of that régime to join in constructive dialogue likely to lead to a change in its anachronistic structures. To cherish any illusion as to any domestic change in that country by means of dialogue without discarding the racist ideology itself would be merely a negative exercise and would but entrench the structures of oppression.

29. It is in this context that we must view the latest constitutional manoeuvring by Pretoria.

30. In the present ideology, for Mr. Botha as for his predecessors, there can be no South Africa without total white supremacy.

31. Need we refer to statements of these leaders, including Mr. Verwoerd, to be convinced that *apartheid* means exclusive monopoly on power? Indeed, in the words of Mr. Verwoerd:

"We want South Africa to remain white. Keeping it white can mean only one thing: guaranteeing domination by whites, guaranteeing them not only the leadership and the guidance of the country but also control and supremacy."

32. Need we also refer to Mr. Vorster to be convinced that *apartheid* means political domination? He said:

"We need the blacks because they work for us. But the fact that they work for us can never authorize them to claim political rights—not now, not in the future, not in any circumstances."

33. Finally, Mr. Botha himself said:

"The Republic of South Africa is a white State. The blacks belong to another nationality ... that of the homelands."

34. Hence, as a dogma of racial supremacy and of exclusive monopoly on power, *apartheid* exceeds all the notions of domination and racism touted by other systems throughout history.

35. In the ideological publication *South African*, the following was stated in 1977:

"In the nineteenth century the black peoples found themselves in the sphere of influence of the whites, who felt obliged to apply *vis-à-vis* the blacks a policy of responsible trusteeship."

That publication also spoke of historic heritage and even of a veritably divine mission that a reading of the Holy Scriptures—surprising, to say the least—would thus confer on the white race in South Africa: "a sacred duty to guide and civilize the black peoples". The white race could not allow itself to have any contacts likely to sully it; hence the legislation on sexual restrictions, such as the 1927 Immorality Act. In 1983, 169 South Africans were brought before the courts to answer charges of "immorality".

36. In addition, this same divine mission has turned all South African territory into a potential promised land, thus making it a divine right to lay claim to any corner of that territory at the whim of the leaders of *apartheid*.

37. This racist *apartheid* ideology cannot be amended or become bearable by dint of a few reforms when its basic tenets are kept intact. The oppressed people of South Africa, which has been denied its own identity and banished from its own homeland, has clearly grasped the scope of this "constitutional reform" and unreservedly condemned it, as borne out by the current demonstrations by students of the Western Cape University.

38. Africa, which considers *apartheid* as an affront to the dignity of all its peoples, has strongly condemned this so-called constitution. In a statement issued on 4 November last the Organization of African Unity (OAU) declared:

"Lest the international community be confused by the event that has taken place in South Africa, the OAU wishes to remind all freedom-loving peoples, as well as believers in the principles of human equality, that the referendum and the so-called reforms are a gigantic constitutional hoax designed to deceive the international community while in fact the so-called reforms are meant to perpetuate *apartheid* ...

"This is the reason why the OAU vehemently denounces and rejects these so-called reforms."

39. At its Seventh Conference of Heads of State or Government of Non-Aligned Countries, held at New Delhi in March 1983, the Movement of Non-Aligned Countries

"unreservedly condemned that act as yet another device to divide the oppressed people of South Africa and consolidate and perpetuate *apartheid* and white minority rule." [See *SI/15675 and Corr.1 and 2, annex, p. 22.*]

40. In a similar surge of solidarity, the international community, which has declared *apartheid* a crime against mankind, clearly expressed its opinion in paragraph 1 of General Assembly resolution 38/11, declaring that

"the so-called 'constitutional proposals' are contrary to the principles of the Charter of the United Nations, that the results of the referendum are of no validity whatsoever and that the enforcement of the proposed 'constitution' will inevitably aggravate tension and conflict in South Africa and in southern Africa as a whole".

41. *Apartheid* cannot be reformed; it must be rooted out. It is imperative for the international community to keep up pressure on the Pretoria régime in order to impose the restitution of the legitimate rights of the South African people.

42. The Group of African States is convinced that the Security Council, like the General Assembly, will reject the so-called constitution, as well as the results of the 2 November 1983 referendum, because they run counter to the purposes and principles of the Charter of the United Nations.

43. As the custodian of international peace and security, the Council must also clearly indicate to the Pretoria régime that the implementation of this "constitution" by means of an electoral charade will inevitably aggravate tension and conflict in South Africa itself and throughout southern Africa.

44. This so-called constitution must be categorically rejected, since it leaves the very structures of *apartheid* intact and institutionalizes the exclusion of 24 million blacks from their fatherland.

45. Only the total eradication of *apartheid* and the establishment of a democratic non-racial society based on the free exercise of universal adult suffrage by all in a united and unfragmented South Africa can lead to a just and lasting solution of the explosive situation prevailing in that part of our continent.

46. Mr. KRISHNAN (India): Sir, allow me first of all to congratulate you on your assumption of the high office of President for the current month. We are happy to see the representative of a friendly non-aligned country presiding. The noble sentiments conveyed in your opening remarks today, on behalf of the Government and the people of Burkina Faso, are not only a manifestation of your country's dedication to the Charter of the United Nations but will also serve to inspire our work in the Council.

47. Having had the opportunity of working closely with you, I have come to admire your eminent personal qualities and skill as a diplomat. It is, in a sense, particularly appropriate that the current discussion in the Council should be taking place under the stewardship of

a distinguished African like yourself, for nowhere is *apartheid* as burning an issue, as emotive and as painful, as in Africa itself. I have no doubt that the Council, guided by your wisdom and statesmanship, will be able to discharge its responsibilities in an effective and meaningful manner.

48. I should also like to take this opportunity to convey our particular appreciation to Mrs. Kirkpatrick, representative of the United States, for the dignified and effective manner in which she conducted the affairs of the Council during the month of July.

49. *Apartheid* is an issue which transcends territorial or geographical boundaries. No doubt, it is the oppressed people of South Africa and Namibia that feel the brunt of this abhorrent policy. Equally without doubt, it is the entire African continent that agonizes and stands against it and strives to eradicate this curse from its soil. However, in the ultimate analysis and by its very nature, *apartheid* is an offence against all humankind. It represents a challenge to the universal concepts of human dignity and equality among men. As the General Assembly has so aptly proclaimed, *apartheid* is a crime against humanity and a threat to international peace and security.

50. The Council meets today faced with a serious situation. Decades of effort, innumerable resolutions and decisions of the United Nations, and mankind's cries of outrage have not succeeded in making South Africa abandon its policies of institutionalized racism, so anachronistic and so revolting in the present age. With characteristic arrogance and scorn for the will of the international community, Pretoria has persisted in, and indeed consolidated, its policy of *apartheid*, not merely in South Africa itself, but also in Namibia, which the racist régime continues to occupy illegally. At the same time, the Pretoria régime has sought, with diabolical cleverness, to convey the impression that its policies are evolving in the direction of greater liberalization and enlightenment, and that peaceful change is afoot in South Africa: a kind of propaganda that has found echo in the capitals of some of South Africa's powerful friends and allies. Much to our regret and consternation, efforts are being made to shield South Africa from international isolation, and even to encourage it in its conduct.

51. For the people of South Africa and Namibia, the position today is no different from what it has been. A minority population reaps all the benefits that derive from its self-entrenched, privileged status. The overwhelming majority continues to suffer humiliation, degradation and poverty, deprived of the most fundamental of rights and repressed under a formidable military and police established. The abominable conditions under which the indigenous African population subsists in South Africa are known to all, and scarcely need reiteration. The fate of the people of Namibia is no better.

52. The so-called constitutional proposals of the South African régime, much advertised as "constitutional reforms", have elicited the strong reaction they deserve from the international community. The Seventh Conference of Heads of State or Government of Non-Aligned Countries, held at New Delhi in March 1983,

"noted with indignation the introduction by the South African régime of so-called constitutional reforms and unreservedly condemned that act as yet another device to divide the oppressed people of South Africa and consolidate and perpetuate *apartheid* and white minority rule." [*Ibid.*]

53. In November 1983, soon after the endorsement of the so-called constitutional proposals by an all-white electorate in South Africa, the General Assembly adopted its resolution 38/11, declaring, *inter-alia*, that the so-called constitutional proposals were contrary to the principles of the Charter of the United Nations and that the results of the referendum had no validity whatsoever. The Assembly rejected the so-called constitutional proposals and all insidious manoeuvres by the racist minority régime of South Africa further to entrench white minority rule and *apartheid*. The Assembly further declared that only the total eradication of *apartheid* and the establishment of a non-racial democratic society based on majority rule, through the full and free exercise of adult suffrage by all the people in a united and non-fragmented South Africa, could lead to a just and lasting solution of the explosive situation in South Africa.

54. In defiance of the strong international reaction to the so-called constitutional proposals, South Africa has gone ahead with its plans and announced that separate so-called elections would be held on 22 and 28 August for segregated chambers of the so-called Coloured people and the people of Asian origin. It is on the eve of these impending grave events that the Council has been convened as a matter of urgency. We hope that the Council will send a powerful message that will serve to restrain the Government of South Africa. We also hope that the Council's action will encourage the concerned people of South Africa not to take part in these sham elections.

55. The position of the Government and the people of India on the question of *apartheid* is clear, consistent and unambiguous. It will be remembered that the father of our nation, Mahatma Gandhi, commenced his crusade against tyranny and injustice not in India but in South Africa. India was the first country to raise the issue of *apartheid* in South Africa at the United Nations, in 1946; that same year, we became the first country to impose comprehensive voluntary sanctions against South Africa.

56. With regard to the so-called constitutional proposals and the impending "elections", India's stand is clear. We believe that the elections scheduled for later

this month are nothing but a facade intended to mislead public opinion worldwide. Behind them lies the sinister motive of sowing discord between the Coloured and Asian communities on the one hand and the black majority on the other. It is transparently clear that the objective of this exercise is to gain tactical advantage for the racist régime by diluting opposition to *apartheid* abroad and thus reducing the pressure for political isolation and economic disinvestment. The ultimate aim of this charade is undoubtedly further to entrench *apartheid*, in the guise of reforming it. We believe, as our Prime Minister, Mrs. Indira Ghandi, has stated, that *apartheid* cannot be reformed; it must be ended. We welcome the massive and united opposition within South Africa to the "constitutional" manoeuvres being carried out by Pretoria. We are confident that the people of South Africa as a whole will not be taken in by them and will resolutely oppose them.

57. The international community will not be deceived by South Africa's recent attempts to portray itself in a different garb. The recent visit by the Prime Minister of the racist régime to several Western European countries and the so-called elections later this month are of a piece with this new strategy intended to gain international respectability. It is an irony of our times that some of the affluent and industrialized nations that proclaim their support for the cause of human rights, equality and justice in other parts of the world continue to collaborate with the racist Pretoria régime in various fields, which has the effect of emboldening that régime further to trample on the rights and dignity of its dispossessed majority population and helping it to withstand the pressure of international ostracism.

58. The policy of *apartheid* lies at the root of all the problems that have afflicted South Africa and the entire region of southern Africa for many decades. It has been held to be a crime against humanity. It constitutes the worst form of violence against the dignity of man. It is the moving force for the continued enslavement of the people of Namibia. In the region, it has been responsible for constant tension and strife, and has been the basis of repeated acts of aggression by South Africa against independent African States. *Apartheid* poses a clear threat to international peace and security, and any attempt to consolidate it must necessarily exacerbate that threat. The Council would do well to remind itself of this and to alert the world to the danger.

59. In conclusion, I should like to read out to the Council a special message sent by the Prime Minister of India, and Chairperson of the Movement of Non-Aligned Countries, Mrs. Indira Gandhi:

"The new constitution under which the racist régime in South Africa has called for elections is designed to perpetuate a fraud on the people of South Africa and on the very spirit of liberty. The suggested levels of enfranchisement denigrate the self-respect of non-white communities and will continue to hold the majority of South Africans in thrall.

"The entire Non-Aligned Movement stands with the people of South Africa in their struggle for human rights. I urge all people of South Africa, especially the black, Coloured and Asian communities, to strongly oppose the 'elections' which are meant only to divide and weaken the struggle against the abomination of *apartheid*."

60. Mr. SHAKER (Egypt) [*interpretation from Arabic*]: First, Sir, I congratulate you on your assumption of the presidency of the Council for the month of August. We are proud to see you, a representative of a friendly African State, whose friendship is so dear to us, guiding our work, especially since your diplomatic skills and great knowledge of international affairs are well known. We wish you complete success in presiding over the Council's work, as we consider the very important matter before us.

61. I also thank the President of the Council for the month of July, Mrs. Jeane Kirkpatrick, representative of the United States, for guiding the Council with wisdom and skill and without having to resort to open meetings.

62. At its previous session the General Assembly discussed what were then called constitutional proposals made by the Government of South Africa to grant to those whom the régime calls the Coloureds and those of Asian origin limited participation in South Africa's parliamentary life. On 15 November 1983 the General Assembly adopted resolution 38/11, which clearly showed that the international community considered those proposals merely a new step in the Pretoria régime's attempt to institutionalize and entrench the policy of *apartheid*. The General Assembly's condemnation of those proposals in its resolution was based on the fact that they ran counter to the principles of the Charter of the United Nations and were merely another manoeuvre to entrench white minority rule and *apartheid* in South Africa.

63. The General Assembly, in that resolution, called on all Governments and organizations to take appropriate action, in co-operation with the United Nations and the OAU, to assist the oppressed people of South Africa in their legitimate struggle for a non-racial democratic society. It requested the Security Council, as a matter of urgency, to consider the serious implications of the so-called "constitutional proposals" and to take all necessary measures, in accordance with the Charter, to avert the further aggravation of the situation in South Africa and in southern Africa as a whole.

64. As is well known, the resolution was adopted without any opposition. However, as we have become accustomed to seeing, South Africa paid no heed to the will of the international community. Rather, it continued with its plans. It is now preparing for "elections", which will take place at the end of this month, on the basis of the so-called amendments, which were approved in a referendum for whites only, despite the

clear refusal of what the régime calls the Coloureds and those of Asian origin.

65. The fact that the Council is considering this issue today is particularly important from Egypt's point of view. On the one hand, it shows that the international community is insistent in its rejection of the so-called constitutional amendments in South Africa and of the consequences and measures flowing from these amendments, and demonstrates that the Pretoria régime's insistence on continuing with its plans will not weaken the international community's opposition to the régime's racist policies and its many manoeuvres to implement them. On the other hand, today's meeting is also a response to the General Assembly's request in the aforementioned resolution that the Council should consider the issue. Egypt has always believed—and it expressed its stand when it joined the Council—that the Security Council is required to take up matters that the General Assembly recommends for its consideration.

66. The Government of South Africa is attempting to present the "constitutional proposals" to the world as real reforms. Is it possible to reform a system which divides rights and obligations between the population and divides people between masters and slaves on the basis of one criterion alone, the colour of their skin—on whether they are white, black, dark or a mixture? Is it possible to reform a system which deprives 70 per cent of the population—the rightful owners of the land—of their right of citizenship, and gives them 17 per cent of it, resulting in their living as prisoners in their own country—or, as one writer put it in an article in *The New York Times* on 24 June this year, as "exiles in their native land"? All this is happening while the minority are living in freedom on the remaining 83 per cent of the land.

67. Is it possible to reform a system in which a majority of the population loses its humanity to become merely a number on a pass whose loss means the owner's loss of his personality and rights, however meagre they may be? I would also like to evoke what the aforementioned article related about the suffering and humiliation to which the black citizen is subjected at 18 Albert Road, Johannesburg, when he goes through the necessary procedures to obtain that document so that he may work in the cities.

68. Is it possible to reform a system in which the downtrodden majority becomes merely another instrument which can be transferred from one place to the other in accordance with economic needs and with only one aim, which is to achieve maximum profit for the ruling minority? The *apartheid* régime cannot be amended and cannot be reformed. The only choice is its complete elimination. Officials in South Africa, the inventors of *apartheid*, uncovered the reality behind these so-called constitutional proposals when they stressed, time and again, during the discussions in the white Parliament, that this new constitution would maintain white superiority, that it did not represent a

step towards equality between the races, that the Group Areas Act would remain and would be implemented by force, if necessary.

69. Furthermore, the black majority will not be represented in the three legislative chambers created by the Pretoria régime and will be able to practise their very limited rights only in the bantustans provided by the racist régime. The white minority agreed to the so-called constitutional proposals only after these and other assurances were published by the South African press at the time. Do we need any further confirmation or proof of the nature of these so-called proposals?

70. The specific danger of these so-called constitutional proposals in South Africa and of the elections that are to take place in a few days is that, in addition to being a new step in the institutionalization and strengthening of the *apartheid* régime, they represent a new attempt by the South African Régime to sow dissension and division among the domestic opponents of its policies, principally the black majority and those classified by the régime as Coloureds or Asians.

71. By these proposals which introduce a modicum of moderation to the inhuman policy of *apartheid*, the Pretoria régime is trying to hoodwink international public opinion and to escape its international isolation. However, we are fully convinced that the aims of the South African régime and its attempts, whether within or without South Africa, are doomed. The reason is that the downtrodden majority inside the country are fully aware of the trickery and schemes of the régime and know that the only way to eliminate the system of *apartheid*, and create a humanitarian democratic State in South Africa, is by opposing the régime with a united and consistent front. Similarly, international public opinion has reached sufficient awareness and maturity not to be tricked by this new mask, which will never manage to cover the ugly face of *apartheid*.

72. The eyes of the world, the eyes of the African continent and the millions of downtrodden people in South Africa are watching our deliberations and their results, since this Council represents the conscience of mankind and is facing an issue which weighs heavily upon its conscience. We hope that the resolution adopted by the Council will be a true reflection of the feelings of the great majority of people in the world: a denunciation of *apartheid* in all its forms and of any measure designed to entrench and institutionalize that policy.

73. Let that resolution clearly express that the conscience of mankind will no longer countenance the stigma of *apartheid*, which affects us all very deeply.

74. In conclusion, let our resolution be a clear indication to the whole world, and to the downtrodden people in South Africa in particular, that this Council truly deserves the confidence placed in it by the people of the world and that it is able to express their wishes and feelings.

75. The PRESIDENT (*interpretation from French*): The next speaker is the representative of South Africa. I invite him to take a place at the Council table and to make his statement.

76. Mr. von SCHIRNDING (South Africa): Permit me, Sir, on behalf of the South African delegation, to convey to you our best wishes on your assumption of the presidency for the month of August.

77. This debate has no right, no right whatsoever, to be taking place. It concerns constitutional arrangements within the Republic of South Africa, and this is manifestly an internal affair. As such, in the unambiguous and explicit terms of the Charter of the United Nations, it is beyond the ambit of this or any other organ of the United Nations.

78. The fact that this debate has been called points but once again to the irresponsible nature of the anti-South African campaign at the United Nations, as exemplified again this morning by the hypocritical statements of the representatives of Algeria, India and Egypt. The promoters of this campaign are quite evidently concerned that they are continuing to lose ground. They have been thrown into utter disarray by the achievements recorded by the South African Government and they are now seeking to regroup by means of this irregular meeting of the Council. Those who persistently break the ground rules of the Organization will certainly not be persuaded by reasoned judgment. Of that we have no doubt. Prejudice is not inclined to yield to reason, and, through the decades, anti-South African prejudice has been entrenched and institutionalized here at the United Nations.

79. Does this meeting imply that the Council proposes henceforth to pronounce upon the constitutions of other Member States, or is this debate simply a further manifestation of the twisted logic of certain Member States which, in pursuing their vendetta against South Africa, will stop at nothing, even to the extent of blatantly violating the statute of this Organization?

80. By what authority do the majority of Members of the United Nations presume to speak on the subject of constitutions?

81. In one country after another, constitutions—both inherited and home-made—have simply been torn up and tossed aside. Time and again power has been assumed by political or military dictatorships and the people have had no say whatsoever in the matter. Coups have occurred so regularly that even serious students of international affairs have lost count of them.

82. The problems of government and of international relations have been greatly complicated by two developments that have occurred in the past generation. One of them is, of course, decolonization. Since the Second World War, more than 100 new States have come into being. Bequeathed with constitutions developed

in far different circumstances by distant imperial Powers, often enclosed in arbitrarily drawn borders and ill-prepared to stand on their own in the testing circumstances of the modern competitive world, they have fought by and large a losing battle for harmony, stability, continuity and progress. Attempts by industrialized countries to assist them are widely regarded today as having been ill-conceived and misapplied, and the distance between the industrialized and non-industrialized worlds continues to widen.

83. The second complication is the problem existing in all quarters of the world today, of governing plural societies. The research of the United Nations itself has demonstrated the acuteness of this problem. In 1974, for example, a United Nations seminar held in Yugoslavia on the promotion and protection of the human rights of national, ethnic and other minorities concluded that assimilation

"should not be forced on any minority, as it was a process that should depend exclusively on free will ... [It] implied a series of measures of direct or indirect coercion for the purpose of denationalizing minorities, negating the rights of individuals to their own identity ... and from that point of view it could be considered to approach the threshold of genocide."

84. Those conclusions were quoted in a 1979 United Nations study on the rights of persons belonging to ethnic, religious and linguistic minorities. That study acknowledged that:

"In nearly all the countries surveyed ... ethnic ... and linguistic groups generally show a desire to preserve their own characteristics and their own traditions, irrespective of the length of time during which they have lived under another culture."

85. I do not think it is necessary to go on. Those facts are universally accepted but the United Nations has not had the courage to come to terms with the hard realities which exist in so many parts of the world.

86. South Africa rejects categorically any attempt to interfere in its internal affairs and will in no way be impressed or influenced by the farcical proceedings taking place here today. Nevertheless, for the sake of those Governments that have a genuine interest in the peace, stability and progress of the southern African region, I shall provide a brief outline of the constitutional developments taking place in South Africa and of the premises on which they are based.

87. South Africa seeks sincerely to come to terms with the complexities and realities of our sub-continent and with the challenges posed by our diversity. It does so not because of any exceptional insight or political wisdom, but much more simply because of its three centuries of experience with what is perhaps the most complex society on earth: a population composed al-

together of minorities—of white people, brown people, people of Asian origin and various black peoples; of Christians, Hindus, Muslims and pagans; of first-world and third-world peoples—but all of them human beings entitled to recognition of their human dignity.

88. It is a monstrous distortion to allege that blacks have been omitted from the political process. Whether this Council likes it or not, a substantial percentage of the black peoples of South Africa have themselves, years ago, opted for political independence. This was the clearest possible manifestation of their right to self-determination. Today there are four independent black States, whether or not the world chooses to recognize them. The time has now come to include in a meaningful way, in the overall pattern of multinational development and co-operative coexistence, the Coloured and the Indian peoples in the decision-making process. The approach to their case must of necessity be different owing to the different historical and cultural circumstances which pertain.

89. In 1976, the very year that the first black nation became independent, a report was issued by a commission appointed to investigate the condition of the Coloured peoples. One of its main conclusions was that a solution for them could not be found within the ambit of either the homelands or the Westminster system. That applied equally to the Asian community. In 1980, a President's Council—consisting of whites, Coloureds and Asians—was established to recommend a constitutional arrangement for those three communities. In the beginning its members held widely divergent views, but after 15 months of patient negotiation they came forward with a set of proposals. Those proposals eventually formed the basis of the Republic of South Africa Constitution Act, which was approved by the South African Parliament last year.

90. The new Constitution provides for a parliament of three houses—one for the white, one for the Coloured and one for the Indian communities. An Executive State President, chosen for a maximum term of five years by an electoral college of members of the three houses, will preside over the Cabinet. The Cabinet will have to implement general legislation passed by the whole parliament, legislation which has therefore been accepted by each house. No fixed numbers have been determined for Cabinet ministers from each population group, and merit will be the decisive consideration for appointments to the Cabinet.

91. Each house will deal with its own community affairs while matters of common concern will be submitted to all three houses. This is a system that is designed to do away with confrontational politics where parties are committed to opposition to one another. The emphasis will be on consensus, and to help achieve it there will be joint select committees representing both governing and non-governing parties on matters such as finance, justice, defence and foreign affairs. The committees, therefore, will have white, Coloured and

Indian members, and it will be their task to discuss legislation about which there is disagreement among the houses. The purpose of these discussions will be to find a way to amend proposed legislation in such a way that it will be acceptable to the majority.

92. There will, in addition, be a President's Council that will act in an advisory capacity. It will also function as final arbiter in the event of the three houses of parliament failing to reach agreement on a specific piece of legislation. Where a deadlock occurs the State President may refer the various versions of a bill to the President's Council, whose task it will be to determine which version should become law. The President's Council will consist of 60 members of which 35 will be elected by the three houses and 25 by the State President. The opposition parties will also be represented in that President's Council.

93. That, in brief, is an outline of the proposed new dispensation. Overall, the constitutional architecture has a horizontal and a vertical aspect. Political power is being spread across the country's communities, through the autonomous institutions in their national states, to the black people's and now—through the new tricameral parliament—to the Coloured and Indian population groups. At the same time, political power is being delegated downwards from the first to the third—or municipal—level of government, and legislation has been passed granting black urban communities of comparable size local government powers as extensive as those of the cities of Johannesburg, Cape Town, Durban and Pretoria.

94. Last year the Prime Minister of my country appointed a special cabinet committee to investigate the position of black people living outside the national and independent states. This investigation is taking place in consultation with the leaders of the widest spectrum of opinion. It is a task to which the very highest importance and priority is attached. This is an area where there must—and will—be constructive development in the coming years. What the South African Government is seeking are structures that will provide for the political aspirations of all the peoples of South Africa, while protecting the rights of all minorities. Only last June, during a visit to Western Europe, the Prime Minister of South Africa stated:

"I believe that we are creating a realistic basis for productive political co-existence in South Africa. We have a long way to go and no wise statesman can give you a political blue-print for all time. To attempt to draw up such a blue-print would in any event be futile because it could only be based on today's realities. What is certain is that we are on a road leading to the broadening of democracy in South Africa, free from domination by any group, and each maintaining control over its own particular values and culture. In my opinion, we have the essential ingredients for a politically stable society in South Africa and I believe too that there is a will to succeed on the part of all concerned.

"What we are doing now is acknowledging the facts and circumstances in South Africa. After my own people's struggle against the colonial Power in southern Africa at the turn of the last century, we inherited a constitution in 1910 based upon the Westminster model. This constitution made no provision for the political rights and aspirations of the black and Asian peoples of South Africa and scant provision for the Coloured people. I want you to know that what is evolving in South Africa today is a process of devolution of power to the second and third levels of government, with joint discussions and consultation in matters of common concern. This is something which is worthy of note. We are working towards a form of confederation which we hope will satisfy to a greater extent the aspirations of our peoples than at present. This is our goal."

When this mammoth task has been accomplished there will be another and yet another, because progress is a continuing process.

95. But our purposes are crystal clear. We seek to secure fundamental rights—namely, the opportunity for men and women to be true to themselves and to their kind, and to be safeguarded against domination by others. The more specific goals may be summarized as follows: firstly, self-determination, with the focus on people and not on territory alone; secondly, autonomy for each community in the management of its own affairs and co-responsibility with others in managing common affairs; thirdly, maximum devolution of power so that grass-roots democracy will be encouraged and, in the words of the Prime Minister, government will be brought closer to the people; and fourthly, co-ordinated and extended economic development throughout the country—the establishment of the Commonwealth to which I have referred.

96. This, surely, is a bold and imaginative bid for the realistic and fair ordering of a most complex society. Surely it deserves, although it does not always receive, the support of democratic Governments. It is preposterous that it should be condemned by dictatorships, by one-party States and by régimes of one kind or another.

97. While most of the Member States of this Organization continue their rapid slide into increasing economic retrogression, while peoples of many of the countries of the world are today poorer, more hungry and less healthy than they were 25 or 30 years ago, the progress which South Africa's peoples are making is there for all to see. According to reliable estimates, 5 million children will die of starvation in Africa this year.

98. Little wonder, then, that there are at least 1.5 million foreign workers earning their living in South Africa. And most of them cross our borders illegally in search of the most fundamental human rights: food, shelter, clothing, work, medical facilities and education. By crossing our borders to find freedom from starvation and from social upheaval, they risk arrest.

99. In the majority of the countries which are Members of the United Nations there is irrefutable evidence that political freedom is becoming more restricted than ever before. This is the ultimate and supreme irony of today's debate. While South Africa is broadening the base of political participation at all levels, the Council arrogates to itself the right to pronounce upon the merits of South Africa's new Constitution.

100. This Organization's founders intended that the Council should deal objectively with grave issues of international peace and security. But the current meeting has absolutely nothing to do with international peace or security. On the contrary, it makes a mockery of the principles for which this Council was established. The United Nations has become widely known as an ineffectual organization, and with the current debate the Council has become an object of ridicule. This is an irregular meeting, an entirely uncalled-for meeting, and whatever decisions may emanate from the Council's proceedings, they will be irrelevant. Indeed, my Government rejects them in advance.

101. Mr. ARIAS STELLA (Peru) [*interpretation from Spanish*]: Mr. President, I should like first of all to congratulate you very cordially on the wise and intelligent way in which you have conducted the work of the Council this month. This is also a most appropriate occasion to ask you to convey to your Government the satisfaction of the Peruvian Government with the sovereign and nationalist decision recently adopted by your country to give a new name to the nation you represent.

102. I also take pleasure in extending sincere congratulations and thanks to the representative of the United States, Mrs. Jeane Kirkpatrick, for her wise conduct of the Council's work in July.

103. In a chapter dealing with the fundamental rights and duties of persons, the political Constitution of Peru establishes, *inter alia*, the following provision: "Every person has the right to equality before the law, without any discrimination by virtue of sex, race, religion, opinion, or language." That norm accurately reflects the nature and special features of the Peruvian nation, a free and democratic society that has for many years been of mixed blood and multiracial and in which a multiplicity of ethnic and cultural nuclei distributed throughout our territory have lived together with rights and obligations that are enshrined in our laws and fully respected. Equality in Peru is thus understood as a reality inherent in the national identity of the country.

104. Therefore the Government and people of Peru find it incomprehensible and totally unacceptable that there should today exist in the world a community to which a legal and political organization based on racial classifications is applied. The clearest and most active testimony to our revulsion at the segregationist policy practised in southern Africa is provided by our participation in the Special Committee against *Apartheid*

and the Committee on the Elimination of Racial Discrimination, United Nations bodies to which we deem it an honour to belong.

105. Moreover, and this deserves profound thought, the overwhelming majority of members of the international community find it disheartening to see that circumstantial reasons and unrealistic approaches are still being used to explain why this daily and systematic affront to the dignity of man continues to be condoned. Condescension and silence, equivocation and the misleading use or non-use of the power of persuasion are making it increasingly difficult to find a peaceful way to move towards the profound changes needed in southern Africa, the first without any doubt being the need immediately, finally and unconditionally to eradicate racism in all its aspects.

106. I shall not dwell at length on an analysis or detailed comments on this subject. Much has been said and written on the unjust and inhuman system of *apartheid*, and we are all well aware of the situation. My delegation can add little. Other delegations will no doubt make these points lucidly and brilliantly. I shall merely confine myself to summing up my country's main positions.

107. First, we reiterate our vigorous condemnation of *apartheid* as an aberrant form of discrimination and domination that violently oppresses the majority indigenous population of South Africa and has stripped that population of its civil, political and social rights and, in general, of all its human rights.

108. Secondly, we unreservedly reject anything that implies the expansion, institutionalization, consolidation and perpetuation of the policy of *apartheid*.

109. Thirdly, the so-called constitutional reforms have clearly been designed to perfect the racist apparatus in its illegality. Apart from its content, which we feel is self-explanatory, in the recent consultations in which it is claimed the new arrangements were approved, the black population, more than 70 per cent of the demographic structure of the country, did not take part at all. Therefore, one can hardly speak of any kind of legitimacy in these and any other previous acts which for more than two decades have been aimed at building a society founded on injustice. It is unimaginable that we should come to believe that the thrust of these measures revealed some encouraging positive indication.

110. Consequently, just as the General Assembly did in adopting resolution 38/11 on 15 November 1983, the Security Council cannot now remain silent, nor can it in any way endorse such arrangements. My country firmly endorses this view.

111. In this connection I wish to make a final relevant remark. By virtue of the San Francisco Charter, the United Nations is required to ensure respect for human

rights and fundamental freedoms without distinction as to race, religion, sex or language. *Apartheid* unquestionably falls under that category, and any attempt to implant it is therefore not a question of internal jurisdiction, particularly when one bears in mind that that jurisdiction in no way represents the 17 million persons who are the very victims of this reprehensible policy.

112. We sincerely believe it timely and necessary once again to emphasize the sense of responsibility and human solidarity of all the members of the international community in this regard. It has become a ritual always to agree in condemning *apartheid*. But it is regrettable that after so many years we are still faced with its gradual development and affirmation, while our unanimously expressed demands have failed to achieve its elimination. There are reasons for this, and the ones responsible are those who are called upon to commit themselves to decisive and direct political efforts. *Apartheid* will never be voluntarily relinquished by those who have brought it about.

113. The PRESIDENT: (*interpretation from French*): The next speaker is Mr. Uddhav Deo Bhatt, Acting Chairman of the Special Committee against *Apartheid*. I invite him to take a place at the Council table and to make his statement.

114. Mr. BHATT (Acting Chairman of the Special Committee against *Apartheid*): Sir, I thank you and the other members of the Council for having given me the opportunity to speak in the Council on behalf of the Special Committee against *Apartheid*. Allow me to congratulate you on your assumption of the presidency for the month of August. I wish you all success in this important task.

115. I also wish to thank the representative of the United States for the able manner in which she conducted the Council's business last month.

116. On behalf of the Special Committee against *Apartheid*, I wish at the outset to express our categorical rejection of the attempt by the South African régime to impose a constitutional fraud on the oppressed people of South Africa.

117. The régime has announced that elections will be held on 22 and 28 August 1984 for segregated chambers to the pseudo-parliament for the so-called Coloured people and the people of Asian origin. The elections are only the prelude to the implementation of the new racist constitution which will come into effect on 3 September. According to this constitution the present all-white parliament will be replaced by one consisting of three racially segregated houses. Whites will elect 178 members, so-called Coloured people 85, and people of Asian origin 45, in their respective houses.

118. The new so-called constitution is devoid of legitimacy because it is not founded on the people's sovereignty. It is a racist document prepared by the few to be

imposed on the overwhelming majority of the country's population by means of violence and force, centralized and monopolized in the State machinery usurped by the racist régime. It is a monstrosity which excludes the African majority from the political process and denationalizes them through the inhuman policy of bantustanization. It is an abominable device that divides the black people on racial lines and deprives the overwhelming majority of the population of their fundamental human rights and freedoms instead of striving for equality, justice and freedom for all. It is a fraud that will inevitably invite violent conflict and civil strife.

119. This sham constitution is an attempt to give illusory power to some sectors of the population—a power which will be outweighed and nullified by whites in the parliament—to enlist those communities into military service against the growing resistance to *apartheid*, to create a potentially dictatorial white executive by conferring extraordinary powers on the President and to bring about a "final solution" by depriving the African majority of South African citizenship through the so-called homelands policy. Yet, insulting the intelligence of the international community, the *apartheid* régime has been propagating the fraudulent constitution as reform. The international community cannot be deceived by so-called reforms of *apartheid*. *Apartheid* cannot be reformed; it must be totally abolished.

120. Clearly, the new racist constitution is designed further to entrench and consolidate white minority rule in the country on the foundation of the criminal *apartheid* system. The imposition of such a constitution represents total defiance of all the purposes and principles enshrined in the Charter of the United Nations and the Universal Declaration of Human Rights, and is an affront to the international community.

121. Last year, when the régime held an all-white referendum on the constitution, the General Assembly adopted resolution 38/11, declaring that the so-called "constitutional proposals" were contrary to the principles of the Charter, that the results of the referendum were of no validity whatsoever and that the enforcement of the proposed "constitution" would inevitably aggravate tension and conflict in South Africa and in southern Africa as a whole. In addition, at their conferences, the Movement of Non-Aligned Countries, the OAU and the countries of the Commonwealth have all resisted and condemned this racist constitution.

122. In South Africa the overwhelming majority of the so-called Coloured people and the people of Asian origin have decided to boycott the fraudulent elections. The history of the struggle against *apartheid* is the history of the deep solidarity that exists among the African majority and the so-called Coloured people and the people of Asian origin. The latest conspiracy by the régime will not succeed in subverting that unity which has been forged in the heart of the struggle. As has been demonstrated in South Africa in recent months, the massive opposition to the racist constitution is but a

magnificent example of that unity. Yet, the régime has proceeded with the implementation of the so-called constitution without even holding a referendum among the people concerned—except for the whites. What was right for the whites was not deemed to be right for the so-called Coloured people and the people of Asian origin who had demanded the same treatment.

123. The *apartheid* régime remains a threat to the peace and stability of the southern African region as well as international peace and security. As long as *apartheid* exists, there shall be no peace or stability in the world.

124. The General Assembly has repeatedly declared that the United Nations and the international community have a special responsibility towards the oppressed people of South Africa. It has recognized the legitimacy of their struggle for the establishment of a non-racial democratic society free from racism. For its part, the Council too has recognized the legitimacy of the struggle for racial equality. It has characterized *apartheid* as a crime against the conscience and dignity of mankind.

125. In view of the present critical situation, the Special Committee against *Apartheid* requests the Council to take urgent action, in accordance with the Charter, with a view to rejecting and defeating this latest manoeuvre by the *apartheid* régime and in support of the oppressed people of South Africa in their struggle for racial equality, justice and dignity.

126. The PRESIDENT (*interpretation from French*): The next speaker is the representative of Thailand. I invite him to take a place at the Council table and to make his statement.

127. Mr. KASEMSRI (Thailand): First of all, Sir, I should like to convey to you my delegation's sincere congratulations on your assumption of the presidency for the month of August. I am confident that, with your undoubted skill and diplomatic experience, the deliberations of the Council will proceed smoothly, with fruitful results. I also take pleasure on behalf of my delegation in seeing you, who have gained the respect and admiration of all your colleagues as representative of Burkina Faso, presiding over the deliberations of the Council.

128. I should like also to pay a warm tribute to your predecessor, Mrs. Jeane Kirkpatrick, representative of the United States, whose performance as President last month was a very distinguished performance of the highly important and often difficult duties of that office. Her performance deserves our esteem and deep appreciation.

129. My delegation is indeed grateful to you, Sir, and to the other members of the Council for the opportunity to participate in the debate on this important item. It is well known that all peace-loving countries in the international community, including Thailand, have been

seriously concerned about racial discrimination and *apartheid*, which continue to be practised in South Africa in violation of the Charter of the United Nations and of fundamental human rights, to the grave detriment of peace and international security, as well as of human dignity and civilized values. How can anyone, therefore, accuse others of hypocrisy when their actions are not only legitimate, but peace-loving? The accuser should instead examine his own actions, which are more deserving of such an epithet.

130. My delegation decided to ask to participate in the debate on this particular item for the following reasons.

131. First, my delegation is of the view that any further delay in taking appropriate measures to remedy the situation arising from *apartheid* in South Africa will undoubtedly aggravate not only the racial conflict within South Africa, but also tension in southern Africa and beyond. Moreover, my delegation notes with grave concern that the so-called constitutional proposals promoted by the Pretoria régime continue to defy the Charter and resolutions of the United Nations and to undermine not only the fundamental rights of the indigenous people, who form the overwhelming majority in South Africa, but also international peace and security in the southern African region as a whole. It is a known fact that South Africa has subjected Angola, Botswana, Lesotho, Mozambique, Seychelles, Zambia and Zimbabwe to subversion, military aggression, incursions and other forms of destabilization. Indeed, not only Pretoria's policies of *apartheid* but also its continued illegal occupation of Namibia, its defiance of United Nations resolutions, its brutal repression of the Namibian people, its acts of destabilization and aggression against independent African States constitute a threat to international peace and security, as recognized by the Bangkok Declaration adopted by the United Nations Council for Namibia on 25 May 1984 [see S/16601, annex].

132. Secondly, my delegation's position is quite clear: the Government of Thailand consistently opposes the policy of *apartheid* and the practices of racial discrimination in all forms. Moreover, Thailand continues to condemn Pretoria's policy of *apartheid* in South Africa and in Namibia, and to demand the cessation of such abhorrent practices. That is why my delegation voted in support of resolution 38/11, adopted by the General Assembly on 15 November 1983, in which it

"Requests the Security Council, as a matter of urgency, to consider the serious implications of the so-called 'constitutional proposals' and to take all necessary measures, in accordance with the Charter, to avert the further aggravation of tension and conflict in South Africa and in southern Africa as a whole."

Thus, the authority of the Council is being invoked in accordance with that resolution.

133. Thirdly, the Government of Thailand has continuously supported and strictly adhered to all relevant resolutions adopted by the United Nations on South Africa. Thailand has no diplomatic relations with the Pretoria régime and has voluntarily imposed a trade embargo against it since 1978. Thailand, therefore, shares the legitimate concerns of the international community on this matter and is able to participate, side by side with the African States, in the Council debate on the basis of its own commitments and actions.

134. Finally, since Thailand is an Asian country, it is my delegation's commitment to express its concern over the inclusion in the so-called constitutional proposals of the so-called Coloured people and the people of Asian origin, as so named by *apartheid* South Africa. My delegation is of the view that the Pretoria régime has attempted to lure the so-called Coloured people and the people of Asian origin away from the black majority, with the intention of creating division among them and of making the so-called Coloured and the Asian people unwitting instruments in the oppression against their black brethren, as well as in aggressive acts launched by Pretoria against the neighbouring front-line States.

135. With regard to the item before us, my delegation takes note with grave concern that the Pretoria régime's so-called constitutional proposals of November last year will inevitably worsen the status and impair further the fundamental rights of the indigenous African majority, which numbers over 20 million people, and that the so-called referendum of 2 November was conducted only among the ruling white minority of 2.7 million people.

136. The so-called constitutional proposals constitute yet another act of repression against the majority. As such they are another in the agonizing series of endless measures of discrimination and cruelty against the black people of South Africa. Those measures have included the execution and incarceration of African patriots, in defiance of all humanitarian principles and appeals from the international community. They also include indiscriminate attacks on, and massacres of, civilian refugees in neighbouring countries. Such actions must never be condoned by the world, but must instead be condemned by all mankind, regardless of the excuses and pretexts given by the perpetrators of those acts.

137. The so-called constitutional proposals must therefore be regarded as having no legal validity and as being impossible for other States to recognize. Thailand, for one, will not grant them any recognition.

138. Furthermore, unilateral actions by the South African authorities to impose any so-called negotiated settlement on the majority of the population, or any part thereof, should be considered as null and void *ab initio*, and whatever the outcome of such unlawful actions it should also be so regarded.

139. In conclusion, my delegation pledges once again that the Thai Government will stand shoulder to shoulder with the Group of African States on this issue to bring about the complete eradication of *apartheid* and the establishment of a non-racial democratic system in South Africa on the bases of majority rule, justice, freedom, equality and human dignity.

140. The PRESIDENT (*interpretation from French*): The next speaker is the representative of Argentina. I invite him to take a place at the Council table and to make his statement.

141. Mr. MUÑIZ (*interpretation from Spanish*): First, Sir, I should like to say how pleased I am to see you presiding over the Council's work. Our countries are united by bonds of sincere friendship, and I assure you that you can count on the full co-operation of my delegation in the discharge of your lofty duties.

142. I also thank Mrs. Kirkpatrick for her effective conduct of the Council's work last month.

143. In addition, Mr. President, I thank you and the other members of the Council for giving me this opportunity to address the Council on the question of the constitutional proposals of South Africa.

144. Argentina's policy of rejecting all forms of racial discrimination is well known. It has lasted since we began our life as an independent nation 174 years ago, and it has been reiterated by my Government in all international forums, including the Council. Argentina has also actively participated in the elaboration of international instruments on the matter.

145. On 15 November 1983 the General Assembly adopted resolution 38/11, in which it

"Declares that the so-called "constitutional proposals" [of South Africa] are contrary to the principles of the Charter of the United Nations, that the results of the referendum are of no validity whatsoever and that the enforcement of the proposed "constitution" will inevitably aggravate tension and conflict in South Africa and in southern Africa as a whole."

The resolution was adopted with 141 votes in favour—that is, by the vast majority of the Member States, including Argentina—none against, and only 7 abstentions.

146. The reason for the international community's rejection of the proposals can be of no surprise to anyone. Even a superficial analysis of the proposals shows that they are designed to perpetuate the *apartheid* régime instead of eliminating it, that they would tend to destroy the unity of the oppressed people of South Africa, thereby maintaining the supremacy of the white minority in power, and that they seek to gain acceptability for the policy of bantustanization, with

the direct harm that that implies for the majority of the population of South Africa.

147. *Apartheid*, the very idea of which seems inconceivable at the end of the twentieth century, is a régime that is intrinsically inhuman and reprehensible, and one which has been defined as a crime against mankind. A legal system of this kind is incapable of improvement through amendments. Discrimination based on racial grounds cannot be improved, weakened or diluted in any way. The only way to deal with this practice is to bring about its complete and final elimination.

148. Argentina can accept no justification for a legal régime which condemns the vast majority of the population of South Africa to live like foreigners in their own country and, moreover, to be denied their fundamental human rights by discrimination based on racial grounds.

149. The policy of bantustanization, which the so-called constitutional proposals would consolidate, is designed precisely to deprive still further that majority of its inalienable rights and citizenship.

150. These policies are being implemented through increased repression and imprisonment of political, labour union and student leaders of the South African national movement. Their clear injustice strongly suggests that the spiral of violence will increase.

151. We are convinced that the promotion and protection of fundamental human rights constitute the cornerstone of the effective solution of the problems affecting the oppressed people of South Africa.

152. South African persistence in maintaining its racist system, and even in trying to refine it through the so-called constitutional proposals, as well as its refusal to end its illegal occupation of Namibia, are the cause of the tensions in southern Africa, with their consequent negative effects on international peace and security.

153. We believe that the Council is called upon to discharge its responsibilities in this matter. My country will comply with any resolutions adopted by the Council, as it has in the past with Security Council resolutions 418 (1977), 421 (1977) and 473 (1980).

154. I conclude by reaffirming the solidarity of the people and the Government of Argentina with the oppressed people of South Africa. One of the most important and noble tasks of the United Nations is to steer the efforts of the international community towards the complete and final elimination of *apartheid*, through the establishment of a democratic, just society in South Africa, free from all discrimination. Argentina undertakes to continue to co-operate in efforts to that end.

155. The PRESIDENT (*interpretation from French*): The next speaker is the representative of Nigeria, whom I invite to take a place at the Council table and to make his statement.

156. Mr. ONOBU (Nigeria): Sir, since this is the first time the Nigerian delegation is speaking at these extraordinary meetings of the Council, we take this opportunity to congratulate you on your assumption of the presidency for the month of August. My delegation is optimistic that your well-known diplomatic skills and leadership qualities will successfully guide our deliberations and enable the Council to take concrete measures on this important and pressing issue of which it is seized.

157. My delegation wishes to address itself briefly to the shocking and intolerable situation existing in South Africa which continues to threaten international peace and security. After more than 300 years of bondage, slavery and colonialist criminality, racist South Africa now celebrates and glorifies anew in the subjugation and oppression of the majority of its population. In addition to its traditional colonialist posture, *apartheid* South Africa has today put in place a savage, sordid and barbarous structure of racism, oppression and exploitation. The shameless apostles of *apartheid* have turned a country that the writer Alan Paton in ecstasy once called "my beloved country" into a nation of temporarily homeless and denationalized people. South Africa has been turned into a country of refugees, as well as a community of tortured, terrorized and harassed people. The racist régime has turned a beautiful sub-region into a *gulag*, ruling by blood and iron, destabilizing contiguous States and poisoning, electrocuting and systematically eliminating a set of people valiantly struggling for national self-determination and civilized and democratic rule.

158. Our task at these meetings of the Security Council is clear. The Council must pronounce decisive judgement on the latest charade and manoeuvres of racist South Africa. The moral task before the Council is that it must unequivocally condemn and reject this absurdity and this singular act of hypocrisy and racism in the form of the so-called "new constitution" being promulgated by racist South Africa. This mischievous "constitution" was endorsed on 2 November 1983 by an exclusively white electorate in total indifference to, and total denial of, the interests and the rights of over 90 per cent of the population of South Africa. This exclusive electorate is not wrong because it is white, but wrong because its mentality is racist, its actions Fascist, its rule totalitarian, its soul corroded by hate and bigotry. It is this South Africa that the whole world and all men of good will and conscience reject and abhor.

159. The "new constitution" of racist South Africa begins thus: "In humble submission to Almighty God, who controls the destinies of peoples and nations"; and it goes on to state as the first of its national goals its intention "To uphold Christian values and civilized norms, with recognition and protection of freedom of faith and worship".

160. The Nigerian delegation, and indeed all members of the international community, shudder at this brazen

declaration of Pretoria's hypocrisy. Let it be said here that South Africa is not a nation founded in God. Its values are completely antithetical to the teaching of love and humanity preached by all the great religions of this world. Its coercive and brutal methods are against all civilized societal norms.

161. This morning we listened to the statement of the representative of South Africa. It was unrepentant and unapologetic about racism and racial discrimination, about *apartheid* and about oppression. The agent of Pretoria insulted the wisdom of the Council and poured scorn on the propriety of the agenda for these meetings, saying that it was irregular. It is clear, therefore, that South Africa will never change its ways unless it is forced to do so.

162. Yet it is also evident that *apartheid* South Africa is given life-blood and strengthened by those who believe in "constructive engagement" and other forms of co-operation with it. Racist South Africa defies the international community because it can get loans and other kinds of support sponsored by a constellation of powerful States, because it facilitates the plunder of Namibia's resources by transnational corporations and because it is also said to be a bulwark against a supposedly dangerous ideology.

163. There are mutterings in the camp of the mentors of racist South Africa that the "new constitution" is a progressive step. It is obvious that it is not.

164. The so-called new constitution of racist South Africa is an instrument of further entrenchment of racism, for so many reasons: first, it was adopted by a racially bigoted and unrepresentative minority of the population; secondly, it seeks to aggravate the socio-political and economic tensions in South Africa; thirdly, it ranks races in a despicable tricameral system that arbitrarily nominates the whites as the master race, Coloured as second class, Indians and Asians as third class, and implicitly nominates a fourth class in their ignominious ranking of humanity; fourthly, it denationalizes the indigenous populations by not only divesting them of their civil and political rights but also creating a landless alien people out of them, and bares the hideous face of racist South Africa by again reinforcing the theory and practice of *apartheid*, a crime against humanity; and fifthly, it is not a constitution but a manifesto on racism.

165. That is why the delegation of Nigeria believes that the Security Council has no choice but to reject the so-called new constitution, to reject the impending fraudulent August elections set out by racist Pretoria under the "new constitution", to build a solid international consensus against *apartheid* and racism and to apply comprehensive and mandatory sanctions against racist South Africa in order to compel that country to

dismantle *apartheid* if it is ever to be re-admitted to the civilized community of nations.

The meeting rose at 1.20 p.m.

NOTES

¹ *Study on the rights of persons belonging to ethnic, religious and linguistic minorities* (United Nations publication, Sales No. E.78.XIV.1) para. 293.

² *Ibid.*, para. 245.

³ *Constitutions of the Countries of the World*, Peru, September 1989, Oceana Publications, Inc., Dobbs Ferry, New York.

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UNITED NATIONS



SECURITY COUNCIL OFFICIAL RECORDS

THIRTY-NINTH YEAR

2549th MEETING: 16 AUGUST 1984

NEW YORK

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NOTE

Symbols of United Nations documents are composed of capital letters combined with figures. Mention of such a symbol indicates a reference to a United Nations document.

Documents of the Security Council (symbol S/...) are normally published in quarterly *Supplements of the Official Records of the Security Council*. The date of the document indicates the supplement in which it appears or in which information about it is given.

The resolutions of the Security Council, numbered in accordance with a system adopted in 1964, are published in yearly volumes of *Resolutions and Decisions of the Security Council*. The new system, which has been applied retroactively to resolutions adopted before 1 January 1965, became fully operative on that date.

2549th MEETING

Held in New York on Thursday, 16 August 1984, at 3.30 p.m.

President: Mr. Léandre BASSOLE (Burkina Faso).

Present: The representatives of the following States: Burkina Faso, China, Egypt, France, India, Malta, Netherlands, Nicaragua, Pakistan, Peru, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America, Zimbabwe.

Provisional agenda (S/Agenda/2549)

1. Adoption of the agenda
2. The question of South Africa:
Letter dated 8 August 1984 from the Permanent Representative of Algeria to the United Nations addressed to the President of the Security Council (S/16692)

The meeting was called to order at 4.10 p.m.

Adoption of the agenda

The agenda was adopted.

The question of South Africa:

Letter dated 8 August 1984 from the Permanent Representative of Algeria to the United Nations addressed to the President of the Security Council (S/16692)

1. The PRESIDENT (*interpretation from French*): In accordance with the decisions taken at the 2548th meeting, I invite the representative of Algeria to take a place at the Council table. I invite the representatives of Argentina, Czechoslovakia, Nigeria, South Africa and Thailand to take the places reserved for them at the side of the Council chamber.

At the invitation of the President, Mr. Sahnoun (Algeria) took a place at the Council table; Mr. Muñiz (Argentina), Mr. César (Czechoslovakia), Mr. Onobu (Nigeria), Mr. von Schirnding (South Africa) and Mr. Kasemsri (Thailand) took the places reserved for them at the side of the Council chamber.

2. The PRESIDENT (*interpretation from French*): I should like to inform members of the Council that I have received letters from the representatives of Benin, Cuba, Mongolia, the Syrian Arab Republic, Trinidad and Tobago and Yugoslavia in which they request to be invited to participate in the discussion of

the item on the agenda. In accordance with the usual practice, I propose, with the consent of the Council, to invite those representatives to participate in the discussion without the right to vote, in conformity with the relevant provisions of the Charter and rule 37 of the provisional rules of procedure.

At the invitation of the President, Mr. Ogouma (Benin), Mr. San José (Cuba), Mr. Nyamdoo (Mongolia), Mr. El-Fattal (Syrian Arab Republic), Mr. Alleyne (Trinidad and Tobago) and Mr. Silović (Yugoslavia) took the places reserved for them at the side of the Council chamber.

3. The PRESIDENT (*interpretation from French*): I should like to inform members of the Council that I have received a letter dated 16 August 1984 from the Chairman of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, which reads as follows:

"On behalf of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, I have the honour to request to be invited, under rule 39 of the provisional rules of procedure, to participate in the Council's consideration of the item entitled 'The question of South Africa'."

4. On previous occasions, the Council has extended invitations to representatives of other United Nations bodies in connection with the consideration of matters on its agenda. In accordance with past practice in this matter, I propose that the Council extend an invitation pursuant to rule 39 of its provisional rules of procedure to the Chairman of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples.

It was so decided.

5. The PRESIDENT (*interpretation from French*): Members of the Council have before them document S/16700, which contains the text of a draft resolution submitted by Burkina Faso, Egypt, India, Malta, Nicaragua, Pakistan, Peru and Zimbabwe.

6. Mr. CHIKETA (Zimbabwe): Allow me to begin by extending to you, Sir, my country's sincere congratulations on your assumption of the presidency of the Coun-

cil for the month of August. We are confident that your personal qualities and undoubted diplomatic skills will greatly facilitate the efforts of this body to deal justly and effectively with all the issues that may be brought before it this month.

7. I further wish to express my country's appreciation and admiration for the outstanding manner in which your predecessor, Mrs. Jeane J. Kirkpatrick of the United States, guided the work of the Council in the month of July.

8. Today the Council is called upon once more to consider events taking place in South Africa. That is justly so. The events currently under way in that country not only constitute a negation of the necessary democratic process and thus become the legitimate concern of all democratic and peace-loving nations, but also threaten international peace and security and so come under the purview of this Council according to the Charter of the United Nations.

9. All of us here are aware of the provisions of the so-called new constitution in South Africa. For that reason I do not intend to enunciate those provisions here. What I intend to do is to bring to the notice of this Council our understanding of those provisions, our interpretation of them and our view regarding what we believe they mean for South Africa in particular and for our region and the world in general.

10. This latest attempt to deceive the world appears on the surface to be sophisticated, but its substance is elementary. The so-called constitution in South Africa was conceived and formulated without the participation of the authentic representatives of the people of South Africa. The constitution is, therefore, not of the people, it is not by the people, and it is not for the people. It is a product of—and, indeed, yet another plot by—the Nationalist Party of South Africa and is aimed at perpetuating the rampant exploitation and degradation of the majority black masses of that country.

11. This allegedly new constitution is still as unashamedly racist in both composition and function as the 1961 constitution. It is nothing other than a consolidation of the 1948 nationalist party policy, which, as we are all aware, was aimed in 1948 at the introduction of *apartheid*, and now, in 1984—and it is interesting to see that the only real change is in the substitution of "1984" for "1948"—at its entrenchment in that country. The racist régime's methods are simple: divide the oppressed blacks by creating bantustans for the Africans and by including the so-called Coloureds and people of Asian origin in the so-called house of representatives and house of delegates. The co-option of a few Coloureds and people of Asian origin—who will, in any case, according to the new constitution, be powerless to affect the course of events—into the ruling clique in Pretoria does not constitute a dent in the machinery of *apartheid*, but rather another cog in its wheel. We

cannot be wrong in making this deduction, because the architects of *apartheid* themselves have told it to us. In selling the proposals for the so-called constitutional dispensation to their electorate, *apartheid* Ministers emphasized the limited nature of these proposals, and stressed that the new so-called constitution was not a step towards integration, but would serve to entrench *apartheid* and preserve white domination. In other words, the new constitutional dispensation is designed to gain for *apartheid* some breathing space and some respectability.

12. If the initiators of this exercise themselves were at pains to point this out to their electorate, who are we to venture to think differently about those proposals?

13. We are of the opinion that this new so-called constitution is a nationalist party document being forced at gunpoint down the throats of the majority of South Africans, who are black and have been totally ignored in the power-sharing exercise provided for by this document, which, in fact, now serves to de-nationalize them and to make them strangers in the land of their birth. Indeed, they are being made stateless people, people without a passport that any country represented at this table would recognize.

14. Moreover, the laws that *apartheid* is constructed upon, such as the notorious Group Areas Act and the laws on influx control, with the consequent forced removals from the so-called white areas to the poor, overcrowded and barren homelands, continue to exist and are now stringently and cruelly enforced. Separate and inferior education for blacks will not be removed by this new constitution; that policy is, indeed, a necessary and logical part of it. And those Indian and Coloured parties that do take part in the so-called elections will do so within the limits of *apartheid*, to rubber-stamp the decision made without them, for their opinion did not count, did not matter and, of course, will not matter even in the envisaged arrangement.

15. Indeed, we are convinced that the so-called new constitution is nothing more than an extension and rationalization of South Africa's bantustan policy. That policy has always sought to segregate the people of South Africa, using Pretoria's shameless racial classification of them, into separate nations which should develop and run their affairs differently and with no relation to the other racial groups. The constitution pretends that the vast majority of South Africans have been provided for already in the so-called homelands, where they are supposed to exercise economic and political rights, and seeks now to deal with the Coloureds and Asians, who were not provided for under the bantustan policy, and so to round off the aim of *apartheid*.

16. It is our view, as we believe it is also the view of the rest of the international community, that the so-called elections to be held in the racist Republic later this month distract attention from the actual problem in

South Africa and, therefore, also from the search for a real and viable solution to that problem. The problem in South Africa is the institutionalized racism that is *apartheid*. The only solution to that problem is the dismantling of that system and the ushering in of a just and democratic order in that country. Any other machinations, such as the exercise under consideration today, serve to exacerbate the problem by complicating it and bringing extraneous and irrelevant issues into play.

17. We consequently expect that today an unequivocal message will go forth from this chamber, and from all fair-minded people in the world, assuring the struggling people of South Africa that the Council, and the world as a whole, cannot be hoodwinked by the machinations of *apartheid*, and that we regard the elections as a retrogressive step designed to maintain and strengthen *apartheid* rather than to dismantle it.

18. We further hope that the message will be the result of a consensus decision of the Council so that the racist régime in Pretoria is served notice that the international community is at one in condemning the new so-called constitution and the sham elections leading to its implementation. We indeed have an obligation to the South African masses in particular, and to the peace-loving nations of the world in general, to reject unconditionally these recent Fascist outbursts, as they add tension and are a contributory factor threatening international peace and security.

19. We say this because we believe that if there is anything we share with the rest of the world, which certainly the South African racist régime does not share, it is the desire for peace, stability, racial equality and racial harmony in our region in particular and in the rest of the world in general. It is our desire to extend to all citizens equal freedom and equal rights to participate in the decision-making process that goes on in the planning and charting of one's destiny in one's country.

20. It is the right of a citizen to demand equal justice before the law and to expect protection from exploitation by ruthless profit-only-oriented multinational companies. In short and in simple terms, I speak of the unquenchable love of freedom and the desire to stay free and freely to decide one's destiny. Many people have died in many parts of the world seeking this freedom, and many in this chamber, I suspect, would be prepared to die for it. We should not be surprised when we see in South Africa people prepared to die for this freedom. This peace, this stability, and this racial harmony we all desire cannot exist—least of all in racist South Africa—in and alongside the exploitative system which the *apartheid* policy perpetrates and which the so-called new constitution intends to reinforce.

21. The United Nations has always insisted on the maintenance of a unitary South African State, and through Security Council resolution 473 (1980) and

General Assembly resolution 38/11 of 15 November 1983, has called upon the régime in Pretoria to abandon *apartheid*, stop oppressing the vast majority of South Africans and enter into negotiations with the genuine representatives of the oppressed majority of South Africans—negotiations designed to bring about a just, lasting political settlement in South Africa.

22. The same logic as informed our decision to reject South Africa's bantustan policy should inform our decision today to reject an instrument that seeks to perfect that policy. This has already been done by the General Assembly when it adopted resolution 38/11, which, *inter alia*, rejected the so-called new constitutional proposals in South Africa. There were no dissenters on that decision of the General Assembly. We hope that this time also, especially in view of the fact that the draft resolution is almost identical to the one adopted by the Assembly, the decision will be unanimous.

23. It is necessary that this be so, because *apartheid* is a crime against the conscience and dignity of mankind, and all mankind must rally together to combat it. We should make it quite clear to the racist régime that only the total elimination of *apartheid* and the establishment of a multiracial democratic society based on majority rule, through the full and free exercise of universal adult suffrage by all the people in a unitary and united South Africa, can lead to a just and lasting solution of the situation in South Africa.

24. Mr. BORG (Malta): Sir, your assumption of the presidency for the month of August coincides with the change of your country's name to Burkina Faso. This double event gives me greater pleasure in that I can extend my warmest congratulations to you and to your people on these two memorable events, so important to your country, which you so admirably represent. I am sure that your wisdom and diplomatic skills will assist us in no small measure in making our tasks easier to accomplish and ensuring that their accomplishment is to the benefit of mankind.

25. I also express my sincere appreciation to your esteemed predecessor, the representative of the United States, Mrs. Jeane Kirkpatrick, for the excellent manner in which she presided over the affairs of the Council last month. Her leadership and judgement were truly remarkable.

"The actions of South Africa, its internal policies of racism and oppression and its external policies of aggression and domination constitute yet another threat to international peace and stability. The cry of anger, frustration and suffering emerging from southern Africa is urgent and persuasive. It calls for urgent and effective remedies."

26. These opening words of my statement, taken from the address given by the Minister for Foreign Affairs of Malta at the thirty-seventh session of the General Assembly, are a reflection of the harsh realities still con-

fronting the free world today. Instead of South Africa altering its attitude in the face of world condemnation, we are, unfortunately, witnessing an intensification of its defiance by persisting in applying its *apartheid* system, already denounced by the General Assembly as a "crime against humanity" and by the Security Council as "a crime against the conscience ... of mankind".

27. Under the disguise of reforming *apartheid*, the new constitution would allow for the creation of separate chambers of parliament for the country's 800,000 Asians and 2.5 million Coloureds—an act symbolic of the political separation conceived by the 1983 constitution. Although it would extend the franchise on racially separate roles to these two minority groups, 22 million—or 72 per cent—of the indigenous African population would be totally excluded, on the grounds that a different constitutional path has been provided for them with the homeland system.

28. This new plan, backed by just two-thirds of the 2 million whites in an all-white referendum, ensures that the whites' built-in majority will still be decisive, either directly or acting through the State President and the President's Council.

29. This clearly and unequivocally shows that instead of its being a step away from *apartheid*, as claimed by the white South African authorities, the so-called new constitution is but an instrument to entrench and consolidate even further the policies of *apartheid*. The 22 million black people are shut out more decisively than ever before; they are being confined to their so-called homelands, or nominally independent nations. They are denied South African citizenship, and, technically, any right to its future.

30. The new constitution will be implemented in a climate of continuing, if not accelerated, pursuit of the essentials of *apartheid*. It is enough to state that in the last 20 years over 3.5 million blacks have been physically uprooted from 87 per cent of the land which is controlled by the *apartheid* régime. As the rate of resettlement quickens, 2 million more are slated to be moved. However, the main props of *apartheid*, including residential, educational, social and sexual segregation, will remain in place.

31. The new constitution does not in fact provide any reform in the sense that there is no real sharing of power. It offers nothing substantial to the Coloureds and Asians, who can always be overruled in the white chamber, and it offers nothing at all to the blacks, the majority of the people of South Africa, who have once again been totally excluded from power-sharing and political rights. The constitution sanctifies the denationalization of the vast majority of South Africans, relegating them to foreign citizenship.

32. During the current debate and in reports by the international press, we have heard and read that opposition to the new constitution from the vast majority of

non-whites is overwhelming. The African blacks, from the African National Congress of South Africa (ANC) to the homeland leaders, are vigorously opposed. Many Coloured, Asian and even white groups, including the official opposition party, are taking a similar stand. It is felt that only steady pressure and isolation will persuade the South African authorities to review their options and deal seriously with all the people of South Africa.

33. As a member of the international community and as a member of the Council, Malta calls on South Africa to desist from such acts, which bring irrevocable suffering and irreparable schisms to a population that has been the witness of racist policies going against the inviolable rights of human beings.

34. We all stand committed to protect and safeguard our freedom. It is imperative that this freedom be also enjoyed by the oppressed people of South Africa. We join with other members of the Council and those delegations which have so far participated in the debate to condemn the acts of defiance of the South African régime and call upon it to withhold the discriminatory and repressive new constitution.

35. The Council has on numerous occasions appealed to the authorities in South Africa to restrain their actions. However, time has shown all of us that our appeals have gone unheeded. Our African brethren are still awaiting the day when they will be free and equal citizens. Let the Council lead the way by expressing its solidarity with their aspirations. Let us once again appeal, with one voice, to the authorities in South Africa to give the people—be they Coloured, Asian or black—the opportunity to say: "We are from South Africa, our country is South Africa."

36. Mr. OVINNIKOV (Union of Soviet Socialist Republics) [*interpretation from Russian*]: Sir, may I at the outset very warmly congratulate you, the representative of Burkina Faso, upon your assumption of the responsible post of President of the Council. We wish to voice our conviction that in you the Council has a reliable and highly qualified leader.

37. I should like to take this opportunity to express our gratitude to the representative of the United States, Mrs. Jeane Kirkpatrick, for the skilful way in which she guided the work of the Security Council last month.

38. The urgent convening of the Council has been motivated by the profound concern of the entire international community, particularly the African countries, at the dangerous turn of events in southern Africa. The new racist constitution in South Africa, which was approved last November exclusively by the white minority, and the so-called constitutional reforms in South Africa, which were also devised by the white racists, are a mockery of the elementary rights of the majority of the population of the country. This is also an overt challenge to the numerous resolutions adopted by

the Security Council and the General Assembly on the question.

39. A new attempt is being made artificially and quite deliberately to keep out once and for all, the overwhelming majority of the population of that country, whose skin happens to be black—three quarters of the indigenous population—from the political life of South Africa. Further, the racist régime in South Africa is trying to pursue a policy of divide and rule by granting a semblance of rights in the South African Parliament to certain Coloured people and people of Asian origin. The obvious intention is that the white overseers will be able to split the black and Coloured inhabitants of South Africa into opposing camps. Thus they intend to maintain the inhuman *apartheid* régime, which has been doomed by history. Therefore, what we are witnessing here is an attempt to confirm in perpetuity the law of the concentration camp in South Africa.

40. The African States, as can be clearly seen from their initiative and their statements here in the Council, are fully cognizant of the significance of these fresh manoeuvres on the part of the South African racists. The Organization of African Unity (OAU) had previously vigorously condemned and rejected the "constitutional proposals" in South Africa. The OAU declared that *apartheid* cannot be reformed and that it must be eradicated.

41. In its resolution 38/11 of 15 November 1983, the General Assembly likewise condemned and rejected the machinations of the racist minority régime in South Africa since they were aimed at the further consolidation of the domination of *apartheid*. Although, of course, certain members of the North Atlantic Treaty Organization (NATO), particularly keen on talking about human rights, refused at the time to support the resolution, it remains a fact that in the voting the vast majority of Member States vigorously rejected the manoeuvres of the South African racists. The General Assembly emphasized that the imposition of the proposed constitution would inevitably lead to increased tension and conflict in South Africa itself as well as in southern Africa as a whole. For that reason the General Assembly requested the Security Council to take all necessary measures pursuant to the Charter of the United Nations.

42. It is the duty of the Council to take such measures. We cannot allow the manoeuvres of the South African racists to succeed. The essence of the *apartheid* régime would not be altered by such manoeuvres, just as a snake does not change when it sloughs its old skin.

43. Furthermore, *apartheid* is not a purely domestic affair of South Africa. Like a cancerous growth it spreads, and it is spreading to the contiguous areas of southern Africa. The racist Pretoria régime, which has occupied Namibia, has obstinately refused to recognize the right of the people of Namibia to self-determination and independence; it has refused to respect the ter-

ritorial integrity of Namibia. It is waging an undeclared war against independent African States, and it is carrying out acts of aggression, destabilization, subversion and terror in the territories of neighbouring African States. This abnormal situation in southern Africa will continue as long as the backbone of the South African régime continues to be *apartheid*, a policy of brutal repression of the majority of South Africa's population, a policy of diktat towards the independent African States.

44. Of course the Pretoria régime could not behave with such arrogant self-assurance both within the country and outside it if it did not enjoy the support of kindred forces in the West. In this connection it is important to note that over the last three and a half years there has been increasingly direct and close co-operation between South Africa and the United States. As early as March 1981 a statement was made at the highest level in the United States to the effect that the Administration was anxious to assist South Africa. The South African racists quickly reacted to the green light that had been given by Washington. South Africa's military budget was immediately increased by 40 per cent. In August 1981 regular South African troops invaded Angola. That was the precise moment chosen by the United States to expound its new regional strategy with reference to southern Africa. The Deputy Secretary of State, Chester Crocker, at that time frankly stated that "the Reagan Administration had no intention to destabilize South Africa to anyone's advantage". He also officially declared that the United States "was endeavouring to build more constructive relations with South Africa, relations based on common interests". On the day following that policy statement, the United States vetoed a draft resolution condemning South Africa's aggression against Angola.

45. All of that ushered in a qualitatively new stage in the ongoing co-operation between the *apartheid* régime in South Africa and the United States. Subsequently, in March 1982, the State Department of the United States declared that restrictions on trade with South Africa had been removed. Immediately thereafter the United States proceeded to embark upon direct political co-operation with South Africa in blackmailing the African countries. The essence of that co-operation consisted in a division of labour: South Africa made every attempt to break open, or at least threatened to break open, other peoples' back doors in southern Africa, while at the same time diplomats from the United States stepped in and sought to convince them that anyone who resisted South African aggression would suffer as a result.

46. The entire policy of the racist Pretoria régime and its protectors overseas not only flies in the face of the interests of the freedom of the African peoples, but also threatens the security of independent African countries. At the same time it creates a serious source of tension in southern Africa. In this connection we should like to draw attention to a note of warning that

was sounded in October 1982 by the well-known American figure Mr. Robert McNamara. At that time he warned that United States policies would make it impossible for there to be any changes in South Africa except through revolutionary violence. Consequently he concluded that "South Africa might become, and in my opinion would become, the same sort of major threat to world peace in the 1990s as the Middle East was at present".

47. It is no accident that we have dwelled on who it is that is helping the South Africans from outside. This is by no means an idle reflection. It is precisely the self-same forces here in the Council that are thwarting the adoption of effective actions against South Africa that would force the racist régime to give up its *apartheid*. It is they who, even if they in fact allow the Council to adopt a new resolution, will bend every effort to block its implementation. Sabotage to benefit *apartheid* is a speciality of certain Powers, which leads us to a further point.

48. Some people in the United States, as has now become widely known, are itching to "outlaw" certain countries. These people do not have the patience to wait till the relevant unilateral acts of legislation can be signed. The thinking of these people is essentially that anyone who has been arbitrarily outlawed by the United States can and should be bombed in the next five minutes, with nuclear bombs at that. I am naturally speaking of the attitude of the United States towards the Soviet Union and to socialism as a whole. We for our part reject as a matter of principle the "rationality" and the possibility of resolving ideological conflicts with the help of weapons, in particular nuclear weapons. This philosophy is alien to us. But the unprecedentedly hostile attitude towards the Soviet Union to which I have referred just now is something that is a danger to world peace.

49. Another aspect of United States policy in the international arena, apart from its pathological anti-Sovietism, is its unprecedentedly amicable attitude towards the ill-famed system of *apartheid* in South Africa.

50. In the case of *apartheid* in South Africa we are dealing essentially with a régime that has been outlawed not arbitrarily but deservedly, and not unilaterally but by all civilized humanity. However, the United States is doing everything it can in the Council to block the legitimate punishment of these recognized international criminals. In the Council the United States has obstinately blocked the adoption of any sanctions directed against *apartheid*, sanctions for which the African countries have long been clamouring, and which are demanded by the conscience of all civilized mankind.

51. Why does the United States so stubbornly insist on giving cover to the white racists? There is a simple answer to this question. The unrestrained anti-Sovietism and militarism in the United States and the untram-

melled racism in South Africa are not enemies but allies. They are, as it were, two sides of the same coin. This is the manifestation of two kindred ideologies and the practice of misanthropy. This inexorable fact, the embrace of South African racism, is something that the United States can never evade.

52. Our policy with reference to *apartheid* is diametrically opposite. The Soviet people understand, appreciate and sympathize with the aspirations of those who today are continuing to struggle in the southern part of Africa for their liberation from racism, racial discrimination and *apartheid*. The great October socialist revolution of 1917 in our country did away with all forms of exploitation, including national oppression, and confirmed the equality of those many nationalities that go to make up the Soviet Union. We are proud of our national policies and as a direct consequence one of the fundamental principles of Soviet foreign policy is support for those peoples which are struggling against colonialism, racism and *apartheid* in an endeavour to achieve their independence.

53. We therefore hereby confirm our complete solidarity with the peoples of South Africa and Namibia and their national liberation movements. However much this may be resisted by the racists and the neo-colonizers, the day will inevitably dawn when those whom today they dub "terrorists" will represent their own liberated countries in the United Nations.

54. This is how it was in the past and how it will continue to be in the future. There is no place for *apartheid* in the history of civilized mankind.

55. Mr. Shah NAWAZ (Pakistan): I should like to begin, Sir, by expressing our happiness at seeing you presiding over the deliberations of the Council during the month of August. I have had the privilege of working closely with you and have the greatest respect for your diplomatic skill and experience and admiration for your outstanding personal qualities. I wish you every success in guiding the work of the Council during this month on important issues, such as the one before us today, which is of concern not only to Africa but to all humanity.

56. I take this occasion also to express our gratitude to your predecessor, Mrs. Jeane Kirkpatrick of the United States, for the competent and dignified manner in which she conducted the business of the Council during last month.

57. The Security Council is convened in an urgent meeting today in response to a request made by the representative of Algeria on behalf of the Group of African States to consider the so-called constitutional reforms promulgated by the Pretoria régime last year. Elections for the Coloured and Asian population under these so-called reforms are scheduled to be held during the latter part of this month. This new manoeuvre by the *apartheid* régime to provide limited and controlled

representation to the Coloured and Asian population is designed primarily to serve the objectives of the policy of *apartheid* and needs to be firmly challenged and opposed by the international community.

58. It would be naive to imagine that the new constitutional reforms betoken a step in the right direction and will culminate in the dissolution of the abhorrent *apartheid* system. The new constitutional reforms, based as these are on racial discrimination, are as immoral as *apartheid* itself. Their political intent is even more sinister. The reforms draw a distinction between the Coloured and Asian population of South Africa, on the one hand, and that Country's black population—which continues to be deprived of all its fundamental human and national rights—on the other. These reforms are clearly designed to drive a wedge between these two sections of the South African population which have consistently presented a united front against the *apartheid* system in all its forms. Obviously, the Pretoria régime entertains the hope that the measures it is about to introduce will break the unity of the anti-*apartheid* forces, drawn from the black, Asian and Coloured population of the country, and thereby end its isolation within the country and its ostracization by the international community.

59. The aim of the so-called constitutional reforms is not limited to the creation of divisions among the black, Coloured and Asian population of South Africa. The strictly regulated association of the Coloured and Asian population in the political process of the country clearly stamps them as second-class citizens who would be allowed to exist in a purgatory, somewhere between a heaven for the racist white minority and a hell for the black population.

60. Doubtless, the Coloured and Asian people of South Africa will instinctively recognize the trap which has been set for them and, by refusing to step into it, will frustrate Pretoria's plans, just as the black majority population did, by refusing to be herded into arid, poverty-stricken, segregated enclaves, for the benefit of a white minority bent upon exploiting the rich resources of South Africa's vast expanses, in order to nourish and perpetuate the *apartheid* system. In opposing the excesses of the *apartheid* régime and conducting a common struggle against the inhumanity and tyranny of an anachronistic racist philosophy, the long-suffering Coloured and Asian people of South Africa are the natural allies of the majority black population.

61. Neither the open pursuit of a policy of bantustanization nor the barely concealed attempt to achieve the same objective through deceptive constitutional reforms will weaken the anti-*apartheid* movement inside South Africa. Indeed the massive resistance by the valiant people of South Africa to the racist régime has gained in strength since the enforcement of the new constitutional reforms. Similarly, these transparently hypocritical measures can neither deceive the international community nor lessen its resolve to support the

anti-*apartheid* movement in and outside South Africa in order to bring to a speedy close a dark chapter in the annals of human civilization.

62. Pakistan, since its very inception, has remained staunchly committed to the eradication of *apartheid*, which is abhorrent to the concept of universal brotherhood and equality enshrined in its Islamic ideology. In a message expressing solidarity with the political prisoners of South Africa in October last, President Mohammad Zia-ul-Haq of Pakistan said:

"Belief in the equality of man is the cornerstone of the faith of the people of Pakistan and the policies pursued by the Government of Pakistan. Racial discrimination is anathema to Islam and to Pakistan and we have always considered it our sacred duty to provide full support to all victims of the abominable policies of *apartheid* and racial discrimination in all its manifestations."

In another message of solidarity with the struggling people of South Africa in June this year, the President said:

"In reaffirming their solidarity with the people of South Africa, the Government and people of Pakistan renew their pledge to extend all possible assistance for the complete eradication of *apartheid*, which constitute a crime against humanity and a threat to world peace. We are convinced that the day is not far when the valiant struggle of the people of South Africa for freedom, equal rights and human dignity will be crowned with success and *apartheid* and racial oppression will be eliminated from the face of the earth."

63. Having declared *apartheid* a crime against humanity and being committed to the dissolution of this evil legacy of the colonial era, the international community must remain vigilant against its survival in new political, legal or constitutional forms. It must convey a clear message to Pretoria that the thin veil of the new constitutional reforms cannot mask the ugly face of *apartheid*, nor can it be expected to lessen the stigma of international censure against it.

64. Last year, the General Assembly, in its resolution 38/11 of 15 November 1983, promptly rejected South Africa's new constitutional reforms and expressed the determination of the Member States not to recognize any results which might flow from them. Now that South Africa has embarked on a new phase in the implementation of the constitutional reforms and is pushing for the elections to be held later this month, it is the Council which is faced with a new assertion of the policy of *apartheid*.

65. Consistent with its past resolutions, in particular resolution 473 (1980) affirming its commitment to the elimination of *apartheid* and its recognition of the legitimacy of the struggle of the South African people for

this objective, the Council must reject the new constitutional reforms and declare them null and void. It must act with a sense of urgency to stop the further consolidation and development of the repugnant dogma of *apartheid*. It must also call upon all Member States not to recognize the outcome of the scheduled elections for the Coloured and Asian-origin population of South Africa, and to continue their assistance for the oppressed people of South Africa in their just struggle for a non-racial democratic society, in which all segments of the population, irrespective of their colour or creed, would enjoy equal and full political rights.

66. Mr. LING Qing (China) [*interpretation from Chinese*]: Please allow me, Sir, to extend my congratulations to you on your assumption of the presidency for this month. With your talent and dedication to United Nations activities, you will certainly make important contributions to the work of the Council. Burkina Faso and China enjoy amicable relations and we are very glad to have friendly co-operation with you.

67. I should also like to thank Mrs. Jeane Kirkpatrick for the efforts she made during her tenure of presidency of the Council last month.

68. Over the years, the South African authorities have been savagely practising *apartheid* at home, a policy that runs totally counter to the principles of the Charter of the United Nations. This policy has not only met with resolute opposition from the broad masses of the black and Coloured people in South Africa, but also aroused strong condemnation by the African countries and the international community in general. The South African authorities are extremely isolated.

69. In order to sustain their racist rule, the South African authorities have stepped up their political intrigues while intensifying their armed suppression. On 2 November 1983, a so-called referendum was held in South Africa with the exclusive participation of the white electorate which endorsed "constitutional proposals". Though seemingly providing limited participation for the Coloured and the people of Asian origin in some affairs, these proposals in fact leave the power of major decision-making in the firm grip of the white racists. The Coloured and the people of Asian origin can only serve as subordinates and foils. Such constitutional proposals will completely deprive of all their political rights the black majority, who make up over 70 per cent of the entire population in South Africa. Furthermore, these proposals clearly provide that the whole series of "laws" which protect *apartheid* will retain their validity. These laws have driven a considerable section of the black people in South Africa, who number over 20 million, into a few bantustans, where they have completely lost their rights as citizens of South Africa.

70. This trend of development is continuing. It is obvious that such a step taken by the South African authorities is by no means a "positive measure" but

rather a trick aimed at providing *apartheid* with a legal cloak so as to perpetuate the system. In addition, the South African authorities are trying in doing so to sabotage the unity between blacks, Coloureds and people of Asian origin and escape from being condemned both at home and abroad so that they may continue their racist rule.

71. The General Assembly adopted on 15 November 1983 resolution 38/11, in which it condemned the enforced implementation of the so-called "constitutional proposals", which would aggravate tension and conflict in South Africa and in southern Africa as a whole, and requested the Security Council to take all necessary measures to avert further aggravation of the situation there.

72. In defiance of the resolutions of the General Assembly, the South African authorities have decided to hold elections in August and September of this year, respectively, for the houses of the whites, Coloureds and people of Asian origin, obdurately clinging to their constitutional proposals which have met strong opposition both in South Africa and abroad.

73. The Chinese delegation strongly condemns the South African authorities for their crime of pushing the so-called new constitution and supports the draft resolution proposed by the non-aligned countries. China holds that the Council should take all necessary measures to mobilize the international community to support the just struggle of the oppressed people of South Africa against *apartheid* and for racial equality.

74. The PRESIDENT (*interpretation from French*): The next speaker is the Chairman of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples. I invite him to take a seat at the Council table and to make his statement.

75. Mr. KOROMA (Chairman of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples): May I be allowed, first of all, to proffer my congratulations to you, Sir, on your assumption of the high office of President for the month of August. It is fitting that you should be presiding over the affairs of the Council at this moment when the issue of *apartheid* is being reconsidered by the Security Council.

76. In the same vein, I should like to extend our congratulations to Mrs. Kirkpatrick of the United States for her presidency over the affairs of the Council for the month of July.

77. In my capacity as Chairman of the Special Committee on the Situation with regard to the Implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples, I wish to convey to you, Sir, and to the other members of the Council, my

appreciation for the opportunity of addressing the Council on this all-important matter which is before it for its consideration.

78. At its thirty-eighth session, the General Assembly, by an overwhelming majority, declared [*resolution 38/11 of 15 November 1983*] the constitutional proposals which had been enacted by the South African Government to be contrary to the principles of the Charter of the United Nations, and that their enforcement would inevitably aggravate tension and conflict in South Africa and in southern Africa as a whole. The Assembly therefore rejected those proposals, not only because they were intended to entrench *apartheid* and the racist majority régime in South Africa, but also because they represented an insidious and fraudulent attempt to divide and rule the majority of the South African people, and to isolate the 24 million black Africans from their fellow citizens. Furthermore, the Assembly called upon the Council, as a matter of urgency, to consider the serious implications of the so-called constitutional proposals and to take all necessary measures, in accordance with the Charter, to avert the further aggravation of tension and conflict in south Africa and in southern Africa as a whole, aggravation inherent in the constitutional proposals.

79. The Government of the Republic of South Africa, true to form, has not only failed to comply with the legitimate demands of the General Assembly but, by attempting to implement those proposals which have been declared null and void and contrary to the principles of the Charter and the Universal Declaration of Human Rights, continues to pose a serious threat to the peace and security of southern Africa.

80. The 1983 constitution, as is well known, establishes a house of assembly with 178 members elected by whites who represent 4.5 million whites; a house of representatives with 85 Coloured members elected by Coloureds to represent 2.5 million Coloureds; and a house of delegates with 45 Indian members elected by Indians to represent 900,000 Indians.

81. That constitution is therefore unashamedly racist in orientation and in substance; even worse is the fact that it attempts to perpetuate the fallacious myth that the 24 million Africans are foreigners in their own country and are not equal in dignity and worth as human persons to their fellow citizens. If implemented, the constitution will, at a stroke, deprive the 24 million Africans of South Africa of their South African nationality or citizenship and further attempt to deprive them of their civil and political rights.

82. It is against this background, and guided by its mandate which reaffirms faith in fundamental human rights, in the dignity and worth of the human person, in the equal rights of men and women, that members of the Special Committee join in the unequivocal denunciation of the so-called constitutional dispensation.

83. The Security Council cannot accept these so-called constitutional proposals as they not only represent a massive denial of the human rights of the people of South Africa but are bound to further aggravate tension and conflict in South Africa, seriously jeopardizing the peace and security in that area.

84. Not only will the further "constitutionalization" of *apartheid* alienate the overwhelming majority of the population, who will perforce increasingly resist the régime in Pretoria; that régime will choose to look for its adversaries outside the country, which will involve frequent acts of aggression and State terrorism against other African States, thus endangering international peace and security.

85. In the view of the members of the Special Committee, the Council, in keeping with its traditional role as repository of the conscience of the international community and as the custodian of international peace and security, must reject the 1983 constitution as contrary to the principles of the Charter of the United Nations, for it is patent that its implementation will inexorably aggravate tension and conflict in South Africa and in southern Africa as a whole, including Namibia, which is a major colonial issue remaining on the agenda of the Special Committee.

86. The constitution should also be rejected, and rejected out of hand, for it leaves intact the existing reality of the *apartheid* system in South Africa, namely that the controlling principles of the State will continue to be racial discrimination enforced by a ruling minority upon a majority more than five times as great. Eighty-seven per cent of the land will continue to be reserved for the 16 per cent of the population which is white, and the 24 million blacks, who constitute some 73 per cent of the population, will continue to be relegated to the remaining 13 per cent of the land—the so-called bantustan homelands—which for the most part are nothing but poor, barren pieces of land scattered on the map with hardly any regard for history, geography or logic.

87. The Security Council, in rejecting this latest constitutional chicanery, will leave the South African authorities in no doubt that only the total eradication of *apartheid* and the establishment of a non-racial democratic society based on majority adult suffrage in a unified and non-fragmented South Africa can lead to a just and lasting solution of the explosive situation now facing that country.

88. The PRESIDENT (*interpretation from French*): The next speaker is the representative of the Syrian Arab Republic. I invite him to take a place at the Council table and to make his statement.

89. Mr. EL-FATTAL (Syrian Arab Republic) (*interpretation from Arabic*): I take this opportunity, Sir, not only to convey to you my congratulations on your assumption of the presidency of the Council at a time when the eyes of millions of oppressed people in South

Africa are turned towards this Council, which bears the responsibility for putting an end to the oppression perpetrated by the *apartheid* régime against the rights of the South African people, but also to assure you that we consider that the motto recently adopted by the people of Burkina Faso on the occasion of the anniversary of the people's democratic revolution, "Fatherland or death; we shall triumph," is one which crystallizes the aspirations of all peoples struggling to free their territories from colonial tyranny in its new or old form and to eliminate racism in all its forms.

90. The Security Council is meeting in response to the urgent request of the representative of Algeria, current Chairman of the Group of African States, and in pursuance of General Assembly resolution 38/11 of 15 November 1983, in which the Assembly, virtually unanimously, rejected the so-called constitutional proposals and all the pernicious manoeuvres of the racist minority régime of South Africa. Those manoeuvres are intended to consolidate the white minority régime and *apartheid*. They are intended also to sow division between segments of the South African population, particularly between the Coloured population and the Asian population on the one hand, and the indigenous population on the other hand.

91. These meetings of the Council come just a short time before the racist "elections", which are designed to set up a three-chamber parliament in conformity with the unlawful new constitution which is to go into force on 3 September. The true meaning of these changes and the aims which they pursue are well known to all members of the Council. I shall merely quote from a recent statement made by the representative of Nigeria, who is Chairman of the Special Committee against *Apartheid*; it sums up perfectly South Africa's crimes:

"The imposition of the racist constitution is a calculated conspiracy against the people of South Africa and a challenge to the international community. The racist régime is bent on breaking the historical unity of the oppressed people of South Africa by creating pseudo-parliaments for the so-called Coloured people and people of Asian origin, by conscripting members of these two communities into the *apartheid* armed forces and by making the indigenous African majority, consisting of 72 per cent of the South African population, foreigners in the land of their birth."*

92. Those words perfectly and unequivocally sum up the goals pursued through the new manoeuvres in which the Pretoria régime is now engaging. Those goals are: to deny the majority of the population their right to self-determination, which is a right guaranteed by the Charter of the United Nations; to drive a wedge between the various parts of the population; to deny them their rights by establishing new racial institu-

tions; and to force the non-white minority groups to take a path that leads to a widening of the base of repression, oppression and spoliation of rights in South Africa. We all know the underlying reasons for this constitutional manoeuvre: what is now termed "constitution" is merely a screen designed to cover up that spoliation of the rights of the indigenous population. Despite these internationally known facts, some are arguing that these movements represent a peaceful trend towards a better society. The clear, unequivocal answer to this fallacious allegation is to be found in an article in the winter 1983 edition of *Foreign Affairs*, under the heading "Revolution in the Making: Black Politics in South Africa". It was written by an American diplomat who had previously worked at the United States Embassy in Pretoria. He wrote:

"The Reagan Administration's 'constructive engagement' with South Africa carries grave risks for the national interest of the United States. South Africa is continuing in the direction it has been going for over 35 years. Despite the enlargement of privileges for some urban Africans, Coloureds, and Indians, white supremacy is now more entrenched than ever. Having been institutionalized, it is about to be constitutionalized. To discern a 'hidden agenda' for basic change, as does the Reagan Administration, is to engage in the wishful thinking that has characterized U.S. policy for far too long."*

93. There is something which we regret but which hardly surprises us: the electoral campaign conducted by the Prime Minister of the *apartheid* régime, Mr. Botha, not among the 72 per cent of the black population—who were overlooked by the pseudo-constitution as if they were non-existent—but among certain European countries in order to gain support for the crimes committed under the provisions of this spurious constitution. I shall quote merely an extract from an open letter addressed to Mr. Botha by Mr. Donald Woods, the editor of the *Daily Dispatch* of South Africa, who was thrown into prison for having divulged information about the murder in prison of Steve Biko, the freedom fighter. The editor is now living in Britain, because he was obliged to flee the country. The editor wrote:

"How ironic that you visited Britain and France last week during commemoration of the Normandy D-Day landings, which insured the Allied victory in World War II—during which conflict you and your colleagues in the Afrikaner Nationalist party fervently hoped that victory would go to the Third Reich.

"Considering how bitterly you attacked Jan Christian Smuts' Government for supporting the Allies at the time, and how openly your party admired Hitler, it was in character when you Afrikaner Nationalists took power in 1948 to pursue your own Herrenvolk theory of *apartheid*—and today, under your leadership, the cause of racial purity flourishes more

* Quoted in English by the speaker.

strongly than ever before. Since January, more than 50,000 blacks have been arrested under the Pass Laws, one of your thriving 317 racial statutes that make *apartheid* first cousin to Hitler's Nuremberg Laws against the Jews.

"Speaking of Jews, it is also ironic that your Government is so friendly with Israel, considering that in 1943 you were chief organizer in Cape Province of the party that tried to stop General Smuts allowing Jewish refugees into South Africa."*

94. The warm welcome given to Mr. Botha when he visited certain European States, notwithstanding the lively opposition of the peoples of those States to the visit of this custodian of neo-nazism, confirms that relations continue to be maintained in all spheres between certain North Atlantic Treaty States and Pretoria. It is highly disturbing to see that all these manoeuvres are conducted under the imperialist theory of a "constructive engagement". This is a policy pursued by the United States Administration in order to extend its hegemony, through South Africa, over all the States of southern Africa and to help Pretoria to commit ever more crimes against the South African people, which is being uprooted and deprived of its national identity and has seen its land severely fragmented into zones of poverty, disease and indigence.

95. The non-aligned countries have always been faithful to principle, and have condemned Mr. Botha's visit to certain European countries. The Co-ordinating Bureau of the Movement of Non-Aligned Countries, at its meeting held at the United Nations Headquarters on 6 June 1984, adopted a communiqué [S/16605, annex] condemning the visit and declaring that this was not just an action hostile to the legitimate interests of the valiant people of South Africa and all peace-loving peoples but also a flagrant violation of the resolutions and declarations of the Movement of Non-Aligned Countries, the Organization of African Unity and the United Nations. All those States called for the total isolation of the *apartheid* régime. The Co-ordinating Bureau also declared that such visits did not deceive the international community nor undermine the international drive to isolate that régime, which we believe to be—despite appearances to the contrary—near collapse as a result of the strikes and uprisings of the national liberation movements in solidarity with the South African people. No matter what Mr. Botha or the United States may do, no matter how much the régime of Pretoria may falsify and distort facts, this Nazi régime will never be able to secure a certificate of good conduct.

96. The subject with which we are dealing goes beyond constitutions and violations of human rights. Rather, it relates to the need to adopt appropriate measures—I emphasize "appropriate measures"—before the situation deteriorates as a result of the use of

force by the United States, applied through the puppet régime installed in South Africa. The spurious constitution and the rigged elections are manifestations of the United States support, which has enabled the Pretoria rulers to follow their bloodthirsty dream. The subject under consideration is the adoption of measures which will enable the South African people to exercise their right to self-determination, in full freedom, with full respect for their dignity, so as to enable the entire people to enjoy equality and liberty and to establish a régime which will secure the interests of the majority of the indigenous population.

97. It is ridiculous that 80 per cent of the indigenous population should be the victim of policies of segregation and the establishment of bantustans designed to deprive that valiant people of their essential rights, their land and their national identity. While a usurping and authoritarian extraneous minority not only keeps the fate of a whole people in its grip, but also threatens the independence and sovereignty of the neighbouring countries by the use of force.

98. We realize that the United States and other Western States members of NATO—which have deep-rooted interests in the resources and labour force of the South African people—think that it is still possible to delude the black majority by suggesting that it can obtain its rights through a step-by-step approach, while waiting for a change in the colonialists' attitude. This procrastinative theory is naive, aberrant and, above all, will not hold water. Certain resolutions may appear inactive in the beginning but that does not mean that they can be squelched. What is important is to eliminate rapidly the causes for a revolution. A revolution is brewing in South Africa now and its manifestations are the daily struggles of the liberation movements in South Africa and in Namibia. We are confident that this revolution will continue unabated and will triumph because its just cause has the support of the entire world. On the other hand, the "constructive engagement" scheme will collapse, as was the case with the other schemes that the imperialists tried to impose on our region, the Middle East. But it seems that the reckless régime of racial discrimination is bent on self-destruction and the destruction of all those around it.

99. In the issue of 25 January 1983 of *The New York Times*, under the caption "Pax Afrikaansa", Flora Lewis stated the following:

"But as one South African official considered to be among the most open-minded put it: 'We want to show that we want peace in the region, we want to contribute and we can help a lot. But we also want to show that if we are refused we can destroy the whole of southern Africa.'"

100. The Syrian Arab Republic, with the backing of its historical experience, knows full well that colonial régimes are régimes which by their nature, evolution and interests cannot alter their policies, because those

* Quoted in English by the speaker.

policies are designed to denationalize the inhabitants of the occupied territories. There is an essential contradiction between the policy of colonization and the policy of peace, as long as the ferment of racism, of oppression and exploitation of the indigenous population continues and as long as the territories of others continue to be usurped and racist societies are imposed. The activities of the Zionist and South African régimes in their respective occupied territories are prime examples. The isolation in which Tel Aviv and Pretoria are living is thus well illustrated. We must impose perpetual isolation on those two régimes as a means of deterrence. The United States is to blame for the deterioration of the situation in southern Africa and we should draw attention to the dangers of the policies of the United States in this region. Those policies are designed to manipulate the problems of the front-line States—economic, financial and meteorological—to diminish their ability to resist the imperialist schemes, to prevent them from preserving the gains they have made since their independence, to subordinate them to the American interests and the transnational companies as well as to the racist régime which has sought to become the gendarme of the region thanks to the support of imperialism.

101. We therefore call upon the Council to impose, under Chapter VII of the Charter, comprehensive sanctions against the *apartheid* régime and the States which do not adhere to the arms embargo against South Africa, particularly the United States. It is also incumbent on the Council to declare the spurious constitution and its corollaries, including the so-called elections, totally null and void and representing a flagrant violation of the Charter, a defiance to the international community and a degradation of cultural and humane values.

102. In conclusion, we again reaffirm our country's total solidarity with the people of South Africa and Namibia fighting against *apartheid* in South Africa. We are sure that their national liberation movements will triumph—I refer to the Pan Africanist Congress of Azania, the African National Congress of South Africa and the South West Africa People's Organization. Faithful to our commitment to the Charter, the resolutions of the United Nations, the Movement of Non-Aligned Countries and the Organization of African Unity, we shall spare no effort to eradicate totally the odious system of *apartheid*.

103. From this forum we hail the struggle being waged by these brave fighters, who will have the last word.

104. The PRESIDENT: The next speaker is the representative of Yugoslavia. I invite him to take a place at the Council table and to make his statement.

105. Mr. SILOVIĆ (Yugoslavia): At the outset, Sir, I wish to convey to you our congratulations upon your assumption of the presidency of the Security Council for the month of August. Your acumen and wisdom, and your known commitment to peace, equality and

independence of peoples will, I am convinced, greatly contribute to the successful consideration of the matter before us.

106. May I be permitted, also, to pay due tribute to Mrs. Jeane Kirkpatrick, representative of the United States, for her distinguished and successful guidance of the work of the Council during the month of July.

107. In the history of mankind *apartheid* is undoubtedly one of the most shameful phenomena. Regrettably, and in spite of the processes of emancipation of peoples, breakthroughs in various fields of social and national development, and numerous technological and scientific achievements, we have failed to rid the world of this abhorrent negation of human dignity.

108. Much has been said about *apartheid*, which has rightfully been proclaimed as a crime against humanity and a threat to peace and security in the world. Much has been said as well about the racist régime in South Africa that established this system of discrimination, repression and terror against the majority of the population in the country, as its "constitutional" system and as the basic principle on which its internal and foreign policies are founded.

109. What, in that light, is the meaning of the constitutional changes and elections for the Assembly in South Africa that are now under way, when the basic premises of the system are founded on the obnoxious policy of *apartheid* and bantustanization?

110. Obviously it is an attempt by the racist régime in South Africa, made under pressure from the international community and internal dissatisfaction, to give an illusion of change. However, it is aimed at prolonging and consolidating oppression and exploitation of the black population in South Africa, which is completely deprived of its basic rights. It is also aimed at strengthening the terrorism perpetrated against the majority of the population by the minority. The racist South African régime is trying to legalize and institutionalize the system at the internal level and, ironically, to present it as a democratic, constitutional and parliamentary process at the external level.

111. *Apartheid* is a threat to international peace and security, a threat which should resolutely be eliminated. It has become evident that racism is an unprecedented evil and that the racist régime of South Africa stops at nothing, including the most brutal methods within the country and against its neighbours, in order to protect its self-proclaimed privilege of being the exclusive arbiter and to impose its own distorted standards in that part of the world.

112. In November of last year, after the so-called referendum on constitutional proposals organized by the racist régime of South Africa whose goal was the further strengthening of racism and denial of basic human rights to the majority of the population, including

the right to citizenship, the problem was considered by the General Assembly as a priority item.

113. In the resolution which it adopted [*resolution 38/11 of 15 November 1983*], the Assembly declared that the so-called constitutional proposals were contrary to the principles of the Charter of the United Nations, that the results of the referendum were of no validity whatsoever and that the enforcement of the proposed racist constitution would inevitably aggravate tension and conflict in South Africa and in southern Africa as a whole.

114. Furthermore the continued malversation of South Africa's régime was most widely condemned and seen as being aimed at dividing the oppressed people of South Africa, at instigating internal disputes and at entrenching white-minority rule and *apartheid*.

115. It is evident that one of the main goals of the proposals is the adoption of legal provisions under which the so-called Coloured people and people of Asian origin would find themselves subject to obligatory conscription into the armed forces of the régime of *apartheid*. Thus internal repression against the majority of the population, the illegal occupation of Namibia and the aggression against independent African countries would be further increased and strengthened.

116. We are encouraged by the unanimous resistance of the oppressed people of South Africa to such an obvious charade. Yugoslavia, together with non-aligned countries and the majority of the international community, supports the legitimate struggle of the population of South Africa for the elimination of *apartheid* and the establishment of a society in which all people, regardless of race, colour, religious belief or sex, will enjoy equal and full political and other rights and freely participate in deciding their own destiny.

117. The Seventh Conference of Heads of State or Government of Non-Aligned Countries, held at New Delhi in March 1983, condemned the introduction of the so-called constitutional reforms by South Africa as yet another device to consolidate and perpetuate *apartheid* and white minority rule [*see S/15675 and Corr.1 and 2, annex, p. 22*].

118. In November of last year the General Assembly requested the Council, as a matter of urgency, to consider the serious implications of the so-called constitutional proposals and to take all necessary measures, in accordance with the Charter, to avert the further deterioration of the situation in southern Africa [*resolution 38/11 of 15 November 1983*].

119. The so-called changes, together with the visits of the racist Prime Minister of South Africa to a number of West European countries, were aimed at reducing the isolation of South Africa, which has few friends and allies in the world. That is why the African, the non-aligned and many other countries, as well as the

greater part of public opinion in the countries he visited, reacted so strongly against the reception extended to Mr. Botha.

120. The minority régime in South Africa, in conformity with its established practice, persistently and in spite of the almost unanimous condemnation by the international community, continues to exercise the evil policy of racism and *apartheid*, carrying out elections whose goal is the establishment of even more severe repression, terror and lawlessness in that country.

121. Such behaviour not only constitutes a violation of the most elementary norms of international law and ethics; it is yet another direct challenge to the decisions of the Security Council and the General Assembly that call for discontinuance without delay of the policy of *apartheid*, the policy that has turned South Africa into an anachronistic medieval dungeon at the end of the twentieth century, into a society lacking any protection of human rights and human dignity.

122. The seminar on the promotion and protection of the human rights of national, ethnic and other minorities held in my country in 1974, which was mentioned this morning in the statement of the representative of South Africa [*2548th meeting*], was devoted to those rights in countries where human beings, as individuals and as groups, enjoy political and civil rights. It is in my opinion, therefore, very cynical for the representative of South Africa to mention the issue of human rights since in his country they do not exist for the majority of the population. *Apartheid* cannot be changed; it can only be totally eradicated.

123. We expect the Security Council to take resolute measures that will prevent the further violation of the basic principles and provisions of the Charter. Elections based on racial discrimination and segregation ridicule the parliamentary process and they, as well as the constitutional proposals and the referendum that preceded them, should be proclaimed illegal and contrary to international law.

124. In our view the Council should demand the most urgent and full eradication of the shameful policy of *apartheid* and undertake concrete measures against the racist régime of South Africa in order to make it comply with the decisions of the Council.

125. The entire people of South Africa should without delay be enabled to exercise the right to self-determination in a democratic society, free of racial discrimination and based on the will of the majority. Only thus will a just and lasting solution of the problems in South Africa and in the region at large be achieved.

126. The PRESIDENT (*interpretation from French*): The next speaker is Mr. Mfanafuthi Makatini, to whom the Council, at its 2548th meeting, issued an invitation under rule 39 of its provisional rules of procedure. I invite him to take a place at the Council table and to make his statement.

127. Mr. MAKATINI: Mr. President, I thank you most sincerely for giving us the opportunity to make known to the Council how and why the Pretoria régime's decision to impose the unashamedly racist and colonial constitution has provoked a wave of indignation among the millions of the oppressed majority in our country. Our thanks also go to all the members of the Council for making this possible. Your country's deep commitment to the international fight against the neo-Nazi system of *apartheid* has always served as a source of inspiration and encouragement to freedom fighters in southern Africa. We seize this occasion to say how the ANC greatly values the reaffirmation of this position as conveyed to President Oliver Tambo by Captain Thomas Sankara at New Delhi two years ago and this year when he visited our region. It is for that reason that in congratulating you on your assumption of the presidency of the Council for this month we feel confident that under your guidance it will adopt decisions that are pertinent and in accordance with the Charter of the United Nations, the Universal Declaration of Human Rights and the aspirations of our people as reflected in the Freedom Charter.

128. The attention of world public opinion is today focused on the outcome of this meeting of the Council with greater interest and more common expectation than ever before. The reason is clear. It is that the Council must be guided by the self-evident truth that men are born equal and by the principle of government with the consent of the governed. Consequently, in pursuance of its unshirkable duty, it is expected to condemn, reject, fight and defeat racist South Africa's constitutional manoeuvres aimed at the consolidation of the universally condemned system of *apartheid*, that offshoot of nazism and prescription for war.

129. The expectations of the oppressed and struggling people of South Africa, which they share with their natural allies, the peoples of the world, lead me to an important statement made by the then United States Secretary of State George Marshall in Paris on 10 December 1948, when, three years after the defeat of fascism, the Universal Declaration of Human Rights was ratified by the General Assembly. He declared:

"Governments which systematically disregarded the rights of their own people were not likely to respect the rights of other nations and other people and were likely to seek their objectives by coercion and force in the international field."²

130. Racist South Africa's record, not only in words but in deeds as well, makes this statement truly prophetic. "In white South Africa, only the white man was boss"—meaning master—"and the Nationalist Party would maintain this position forever—with force if necessary," said Vorster on 16 March 1970, four years before the P. W. Botha invasion of Angola, followed by the régime's extension of its so-called defence perimeter to include all African countries south of the equator and followed by the régime's undeclared war against

neighbouring countries, some of which are today victims of unequal agreements secured at gunpoint.

131. This is but part of the larger background against which the racist, colonial and Fascist constitution must be examined. As a result of the inevitable developments today beyond its control, the régime has to adapt or die, according to its spokesmen.

132. What are these circumstances? They are, first, the rising tide of black anger; secondly, the collapse of the buffer that had protected *apartheid* South Africa; thirdly, the régime's acute shortage of white military manpower resulting from its repressive army being overstretched and failing to stem the ever-growing tide of intensified armed struggle being waged by SWAPO in Namibia and the ANC in South Africa itself; fourthly, the demands by some of the régime's Western allies for reforms that would give a human face to the *apartheid* monster in order to render possible its continued diplomatic protection.

133. It is important to place South Africa's 1983 constitution in its proper historical context. Without going into details on how, in pursuance of settler colonialism, racist South Africa adopted only those features of the Westminster system that allowed it to practise racial domination and reject the principle of universal suffrage, we must make a brief examination of the 1961 constitution. What is the character and function of the present constitution, whose demise is due soon?

134. It is unashamedly racist in composition and function. It comprises a single legislative chamber of 177 white members of Parliament elected by white voters only. Bills are passed by a simple majority vote and become law when signed by a non-executive State President. This is how the horrendous discriminatory and repressive laws designed to secure and perpetuate the black people's enslavement, dispossession, exploitation and genocide are passed. Executive power is vested in a Prime Minister and Cabinet—all white and Afrikaner—which enjoy the undivided loyalty and support of 126 members of Parliament.

135. This is what has served as the so-called legal basis for the practice of the *apartheid* policies which stand condemned by the General Assembly as a crime against humanity and a threat to world peace and international security.

136. The question before the Council is whether the 1983 constitution marks the beginning of the long-awaited departure from this position. Is it a step in the right direction, responding to the General Assembly and Security Council's repeated calls on the South African authorities to end the repression and oppression of the black majority and seek a peaceful, just and lasting solution in accordance with the principles of the Charter?

137. The 1983 constitution is the creation of the architect of *apartheid*: the Nationalist Party, whose lead-

ers and spokespersons have often boasted of their Fascist commitment, proclaimed an allegedly divinely-inspired right and resolve to ensure that South African nationhood is for whites only where the black majority can stay only as temporary sojourners for the purpose of ministering to the needs of the whites. It is therefore yet another and more effective instrument aimed at maintaining the Nationalist Party and *apartheid* control behind the fig leaf of reforms and power-sharing.

138. According to Johan Duggard, the Director of the Johannesburg-based Centre for Applied Legal Studies, the main feature of the 1983 constitution is its tricameral structure: Parliament will consist of three legislative chambers, located in separate buildings. There will be a white house of assembly with 178 members elected by whites to represent 4.5 million whites, a house of representatives with 85 "Coloured" members elected by Coloureds to represent 2.5 million Coloureds, and finally a house of delegates with 45 Indian members elected by Indians to represent 900,000 Indians. Each house will deliberate separately, and in case of disagreement the will of the majority party in the white house of assembly will prevail. The State President, enjoying far-reaching executive and legislative powers, will be elected by an electoral college of 88, comprising 50 members designated by the white house of assembly, 25 members by the "Coloured" house of representatives, and 15 members by the Indian house of delegates. In practice, the 50 members of the electoral college constitute the majority that ensures the election of its candidate.

139. Johan Duggard correctly characterizes his scenario when he says:

"The State President will manipulate the tricameral Parliament like a puppet master, for to him is given the power to decide which matters are to be disposed of finally by each House on its own, and which matters are to be passed by all three Houses sitting separately, or if necessary, by the dead-lock procedure."

Duggard further elaborates that:

"If the State President decides that a given matter is an 'own affair' of a particular House, he will refer it to that House for final legislative determination. Should he decide that a matter is not the 'own affair' of a particular House, it becomes a 'general affair', to be decided on by all three Houses and this presidential decision is final and no court of law may question its correctness."

140. Bills designated as dealing with a "general affair" passed by the three Houses sitting separately will become law when they have been assented to by the State President. In the event of disagreement between the Houses, the matter will be referred by the State President to the President's Council for resolution. The

decision of the President's Council is, in such cases, deemed to be the decision of Parliament.

141. The régime's spokesmen have given different reasons to explain the failure of the constitution to deal with the indigenous African majority. First, there was the nakedly racist one given by the Minister of Constitutional Affairs, who said this was because the inadequate development of the Africans made them incapable of comprehending the complex democratic process. Since this outburst, which embarrassed the régime's allies abroad, the now repeatedly declared position is that the constitutional development for the Africans is already settled. They are to be deprived of South African nationhood and allowed to exercise their civil and political rights in the bantustans. We humbly submit that this alone is enough to clear the minds of the members of the Council and make them condemn unanimously and reject this constitution, based on bantustan policy, to which there is unanimous opposition. The other reason is, in our opinion, the fact that no Member State can fail to condemn the so-called constitution, which seeks to perpetuate the disenfranchisement of the indigenous African majority and makes them foreigners in the land of their birth.

142. Some spokesmen of one Member State have been reported as welcoming racist South Africa's constitution as a step in the right direction. We want to believe that the Reagan Administration supports the United Nations position calling for the establishment of a non-racial, democratic society in South Africa. If that is the case, South Africa's 1983 constitution cannot be welcomed as a step in the right direction.

143. However, in fairness to the Reagan Administration, we must add that this reported statement of welcoming what has been rejected by the General Assembly, as well as by the summit conferences of the OAU, the Non-Aligned Movement and the Commonwealth countries, has been contested by Mr. Chester Crocker. That leads us to expect the United States to join the international community in condemning Botha's constitution, which is obviously designed to entrench further white minority rule and the universally condemned *apartheid* system.

144. There is another reason why we think the United States should have no problem in voting in favour of the draft resolution sponsored by the non-aligned countries. It will be recalled that in his major policy statement last year, Mr. Lawrence Eagleburger, the American Under-Secretary of State for Political Affairs, said:

"Our policy is directed, therefore, not at whether a non-racial order will be arrived at [in South Africa], but how that non-racial order will be arrived at. Western policy towards South Africa today must focus on how various black groups acquire the basis and influence necessary to participate in a genuine bargaining process that produces changes acceptable to all."

145. It will be further recalled that P. W. Botha himself wasted no time to respond—angrily, if I might say—by reaffirming once again that there will never be a system of one man one vote in South Africa. Botha's response clearly dismissed the idea often whispered by some Washington spokesmen suggesting that the régime's constitutional changes should be given a chance since the régime might be having some hidden agenda involving black participation in the South African political process.

146. Pretoria's clarity of purpose was further underlined during the November referendum campaign. Several South African newspapers have reported that:

"On repeated occasions, the régime's spokesmen emphasized that the new constitution would preserve white domination, that the new constitution was not a step towards integration, that the Group Areas Act would be retained, and, if necessary, forcefully applied and that there was no place for representation of Africans, who would have to exercise political rights beyond the local level through the bantustans."

147. The ANC sees and condemns Botha's new constitution as the continuation of the 300-year-old policy of conquest, enslavement, dispossession and genocide. It is not a step towards change. Proof of this is that all the repressive laws which constitute the main pillars of the inhuman *apartheid* system remain intact. They are in fact being consolidated by the draconian Koornhof bills.

148. Even presented as reforms, those insidious manoeuvres have been seen for what they are by our people. The strong opposition to this racist, colonial and Fascist constitution has united our people more than ever before. The leadership of what has turned out to be the most powerful non-racial coalition of all times has come from Coloured, Asian and African community leaders. It is inspired by the eloquent warning of Nelson Mandela in a letter smuggled out from Robben Island in 1980 and published in 1982, in which he declared:

"*Apartheid* is the embodiment of the racism, repression and inhumanity of all previous white supremacy régimes. To see the real face of *apartheid* one must look beneath the veil of constitutional formulae, deceptive phrases and playing with words."

149. In examining the record of previous white supremacy régimes, we find that following the wars of conquest in the nineteenth century, Britain imposed a constitution in its South African colony which entrenched white minority power, Boer and British, whilst giving the qualified franchise to the Coloured and the small number of Africans in the Cape Province. In the rest of the provinces, our people were excluded from political participation.

150. Like the 1983 constitution, the Act of Union was an act against the indigenous African people. It brought

together sworn enemies, Boers and Britons, because of their common interest in the wealth of our country, which they planned to extract with our labour. From 1910 to 1936, the process of harnessing our labour through landlessness began. The 1913 Land Act which prepared the ground for the present bantustans was passed and complemented in 1923 by the Urban Areas Act, which spelt out that Africans could only remain in the cities as temporary sojourners if they ministered to the needs of the white man. In 1936, even that qualified franchise was eliminated and replaced by the Native Representative Council. Those Africans who lived in the Cape could elect three white representatives. This constitutional fraud reached its demise after the 1946 miners' strike and was finally eliminated when the Nationalist Party came to power in 1948. In 1956, the token franchise of the Coloureds was also eliminated.

151. It is clear to us that one of the reasons why the régime that has in the past gone to great lengths to eliminate the Coloured franchise and even attempted to deport the Indians and is taking such a position today, is to solve the acute problem of shortage of white military manpower. By granting this limited parliamentary representation to the so-called Coloureds and people of Asian origin, the régime aims at securing their conscription into the *apartheid* army for internal repression and aggression against the neighbouring States. It hopes in the process to divide the black people and weaken their common struggle against white supremacy and for a non-racial society based on majority rule in a united and non-fragmented South Africa.

152. The pressing appeal we address to the members of the Council to reject racist South Africa's 1983 constitution as null and void is an appeal for support of the position taken by the South African patriots who see this manoeuvre as designed to further entrench white minority rule and *apartheid*. It is an appeal for support of the democratic mass organizations inside our country which have called for the boycott of the pseudo-elections due to take place this month. This boycott movement is co-ordinated by the United Democratic Front (UDF) which was formed in August last year and comprises 600 organizations whose common objective and resolve is the rejection of the new constitution and the Koornhof bills.

153. Having launched the million-signature campaign for the rejection of the new constitution, UDF has issued an appeal for the boycott of the forthcoming elections and the new constitution because, first, "whites will still be in control. For every four whites in the new system, there will be two Coloureds and one Indian person. Coloureds and Indians will therefore have no real say." Secondly, Coloured adult males will be forced to do border duty. Key Government officials made it clear that if the constitution is accepted, border duty will follow. Although conscription and border duty can be rejected by the Coloured and Indian people in the new parliaments, whites will still have the final say. Thirdly, African people are left out of the new

constitution. This will create greater tension amongst the different race groups. The UDF is concerned that if Coloureds and Indians accept the new constitution, they will be seen as a party to the white man's laws against African people. Fourthly, nothing will change. The high rents, rates, low wages and other problems will remain. The Group Areas Act and other unjust laws will not be changed.

154. In his statement this morning [2548th meeting], in which he rejected in advance any decisions that may emanate from the Council, the representative of the racist South African régime has displayed the type and level of arrogance, defiance and intransigence that must convince the justice-loving members of this body, first, that in the case of *apartheid* South Africa the Council is dealing with an entity that will not be persuaded by reasoned argument—if I may borrow from his words; secondly, that, indeed, the Pretoria régime and its *apartheid* policies constitute not only the obstacle to peace, stability and security in southern Africa but also threaten world peace and international security; thirdly, that the problem facing the Council today in its resolve to help bring about the establishment of a non-racial society based on majority rule in South Africa can be traced to the unjust decision taken by the United Nations in admitting as a Member a settler régime founded on the denial of the right to self-determination for the indigenous majority; and, fourthly, that racist South Africa's suspension from the General Assembly must be maintained while the Council takes appropriate steps to expel this régime from the United Nations.

155. The PRESIDENT (*interpretation from French*): I call on the representative of the United States, who has requested to exercise her right of reply.

156. Mrs. KIRKPATRICK (United States of America): I should like to thank the President and to congratulate him on the assumption of this high office. We all have confidence that he will conduct the affairs of this Council with fairness and effectiveness.

157. I have asked to speak in exercise of my right of reply in order to address certain of the questions that were raised in the form of assertions by the previous speaker with regard to the views and values and conduct of the Government of the United States. I should like to make just a few points, and very briefly, in order to set at rest any questions which any member of the Council may have concerning our commitments relevant to the draft resolution in the matter before us.

158. First, I will affirm as clearly and unequivocally as possible, as I have on many occasions in the Council,

on behalf of the United States, that the United States Government deplores *apartheid*, condemns *apartheid*, as we condemn all denial of full citizenship and of the rights of full citizenship and of democracy to all citizens of all countries, unequivocally.

159. Secondly, I should like to underscore that the United States does indeed condemn the constitution now before us for consideration, and all constitutions that do not provide full adult suffrage and free elections, as we deplore all constitutions of all Governments that do not feature democratic elections in which all adult citizens may participate under conditions of free speech, of access to media, of free assembly, of majority rule, and of protection of minority rights. The United States indeed deplores all Governments everywhere which are not governments based on consent deriving from the right of all citizens to participate in the processes of their Government. We do not approve of any Government in which blacks are disenfranchised, or, indeed, any other category of citizens whatsoever.

160. We oppose—indeed, deplore—all Governments which deprive any category of their citizens of full rights. We especially deplore the keeping of political prisoners, and we call on all Governments to release their political prisoners. We wholly affirm the words of a former Secretary of State, one of our most distinguished military and diplomatic leaders of all time, General George C. Marshall, when he said that Governments which systematically violate the rights of their own citizens are not likely to respect the rights of others anywhere else in the world.

161. I should like to assure the previous speaker—and indeed all the members of the Council—that the Council can count on United States support for any resolution which espouses the rights of Member States under the Charter of the United Nations, which is consistent with the principles of the Charter, providing only that the members of the Council are ready to apply those principles and guarantee those rights to all other people in all other societies represented here today.

The meeting rose at 6.45 p.m.

NOTES

¹ Official Records of the General Assembly, Thirty-seventh Session, Plenary Meetings, 32nd meeting, para. 110.

² Ibid., Third Session, Plenary Meetings, 139th meeting, p. 37.

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SECURITY COUNCIL OFFICIAL RECORDS

THIRTY-NINTH YEAR

2550th MEETING: 17 AUGUST 1984

NEW YORK

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Symbols of United Nations documents are composed of capital letters combined with figures. Mention of such a symbol indicates a reference to a United Nations document.

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2550th MEETING

Held in New York on Friday, 17 August 1984, at 10.30 a.m.

President: Mr. Léandre BASSOLE (Burkina Faso).

Present: The representatives of the following States: Burkina Faso, China, Egypt, France, India, Malta, Netherlands, Nicaragua, Pakistan, Peru, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America, Zimbabwe.

Provisional agenda (S/Agenda/2550)

1. Adoption of the agenda

2. The question of South Africa:

Letter dated 8 August 1984 from the Permanent Representative of Algeria to the United Nations addressed to the President of the Security Council (S/16692)

The meeting was called to order at 11.50 a.m.

Adoption of the agenda

The agenda was adopted.

The question of South Africa:

Letter dated 8 August 1984 from the Permanent Representative of Algeria to the United Nations addressed to the President of the Security Council (S/16692)

1. The PRESIDENT (*interpretation from French*): In accordance with the decisions taken at the 2548th and 2549th meetings, I invite the representative of Algeria to take a place at the Council table. I invite the representatives of Argentina, Benin, Cuba, Czechoslovakia, Mongolia, Nigeria, South Africa, the Syrian Arab Republic, Thailand, Trinidad and Tobago and Yugoslavia to take the places reserved for them at the side of the Council chamber.

At the invitation of the President, Mr. Sahnoun (Algeria) took a place at the Council table; Mr. Muñiz (Argentina), Mr. Ogouma (Benin), Mr. Velazco San Jose (Cuba), Mr. César (Czechoslovakia), Mr. Nyamdoo (Mongolia), Mr. Onobu (Nigeria), Mr. von Schirnding (South Africa), Mr. El-Fattal (Syrian Arab Republic), Mr. Kasemsri (Thailand), Mr. Alleyne (Trinidad and Tobago) and Mr. Silović (Yugoslavia) took the places reserved for them at the side of the Council chamber.

2. The PRESIDENT (*interpretation from French*): I should like to inform members of the Council that I have received letters from the representatives of Congo, Indonesia, Kuwait, Qatar and Sri Lanka in which they request to be invited to participate in the discussion of the item on the agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite those representatives to participate in the discussion without the right to vote, in conformity with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

At the invitation of the President, Mr. Samory (Congo), Mr. Alatas (Indonesia), Mr. Abulhassan (Kuwait), Mr. Al-Kawari (Qatar) and Mr. Wijewardane (Sri Lanka) took the places reserved for them at the side of the Council chamber.

3. The PRESIDENT (*interpretation from French*): The first speaker for this meeting is the representative of Cuba. I invite him to take a place at the Council table and to make his statement.

4. Mr. VELAZCO SAN JOSE (Cuba) [*interpretation from Spanish*]: I wish first of all, Sir, to thank you and the other members of the Council for giving me this opportunity to make a statement during the Council's consideration of this important item. It also pleases me to be participating during the presidency of a representative of an African country with which Cuba maintains close ties of friendship. We are certain that, with your experience and diplomatic skill, you will effectively guide the work of this body.

5. On 15 November 1983, the General Assembly considered the problem of the new racist constitution imposed by the Pretoria régime on the broad majority of the South African population. By 141 votes to none, with seven abstentions, resolution 38/11 was adopted by the General Assembly which declared that the so-called constitutional proposals were contrary to the principles of the Charter of the United Nations, that the results of the referendum held on 2 November 1983 were of no validity whatsoever and that the enforcement of the new constitution would inevitably aggravate tension and conflict in South Africa and in southern Africa as a whole.

6. The General Assembly rejected the so-called constitutional proposals because it considered them to be an insidious manoeuvre by the racist minority régime

designed to strengthen the power of the white minority and the *apartheid* régime.

7. Any "negotiated settlement" based on the bantustan structure or on the so-called constitutional proposals was also rejected. The Assembly then declared yet again that only the total eradication of *apartheid* and the establishment of a democratic, non-racial society, based on majority rule through universal suffrage exercised by the entire adult population in a united, non-fragmented South Africa, could lead to a just and lasting solution to the explosive situation in South Africa.

8. The General Assembly requested the Security Council to consider the implications of the so-called constitutional proposals and to take the necessary measures, in accordance with the Charter, to avert the aggravation of tension in South Africa and in southern Africa as a whole.

9. Moreover, the Movement of Non-Aligned Countries, which comprises the majority of the membership of the United Nations, considered and denounced the "constitutional proposals", stating that, apart from excluding the black population of South Africa and not granting real civil rights to Coloured or Asian persons, these are a massive fraud and an attempt to turn back the process of the emancipation of African peoples.

10. The position of the Non-Aligned Movement has been consistent and clear. The Seventh Conference of Heads of State or Government of Non-Aligned Countries, held at New Delhi in March 1983, expressed indignation at the introduction by the South African régime of these alleged reforms, and unreservedly condemned this act as another attempt to divide the oppressed people of South Africa and to consolidate and perpetuate *apartheid* and the dictatorship of the white minority.

11. That is a portion of the background to the position taken by the Governments that make up the United Nations and the Movement of Non-Aligned Countries concerning the so-called constitutional reforms.

12. In fact, they have already been declared to be openly contrary to the Charter, a manoeuvre by the racist régime and its Western allies, especially the United States, and a fraud perpetrated upon international public opinion.

13. Actually, the new South African constitution has not changed any of the basic elements of *apartheid*, nor has it accepted any decision which could be considered as a peaceful development—however moderate—which might indicate the possibility of a future of equality and full civil rights for the more than 70 per cent of the South African population which continues to live in oppression under the abhorrent racist system.

14. What is new in South Africa? The press in the host country of the United Nations and in other Western

capitals is striving to show that true transformations are being made in *apartheid*, and that there is no longer any need for the internal struggle by the oppressed masses in that country or for international pressure on or isolation of Pretoria, because racism has begun to disappear. Nothing could be further from the truth. There has not been a single change in South Africa which alters the wretched existence of the more than 23 million Africans of the bantustans, or even for the "Coloureds" and citizens of Asian origin, whom they are now trying to separate from the joint struggle with their black brethren for full civil rights, by means of a so-called parliamentary chamber, which is no chamber at all, and possesses no real powers.

15. Even the Western press has no alternative but to recognize that there must be a question mark over the so-called reforms of the system. For example, *Newsweek* has admitted:

"Despite all his rhetoric, Botha has continued the harshest racial practice in the country's history. Each year about 250,000 blacks have been obliged to go to desolate homelands, where they are confronted with a picture of a lack of schools, few jobs and little food, water and medical care. In the name of 'national security', thousands of blacks are routinely arrested. Last year alone more than 200,000 blacks were arrested for violations of the pass laws, an increase of 90 per cent since 1981. The Government destroys the houses of blacks, obliging them to emigrate from their marginal slums of corrugated iron shacks and mud huts, and their 'new houses' frequently consist of junked automobiles on vacant lots with branches and plastic planks all tacked together."

16. It is here, in the oppression of the overwhelming majority of the population of South Africa, that we must seek true changes and also the true reforms of *apartheid*, if any are to take place. For those broad majorities the only reform is that there has been more brutal repression and more systematic violations of human rights, with an even gloomier future for their descendants.

17. Who adopted the new constitution? The answer is that 2.7 million white South Africans, barely 10 per cent of the total black population, have arrogated to themselves the right to draft the fundamental law of the country. It would be simple-minded to suppose that in the circumstances of *apartheid* even those whites can express, or be guided by, the finest sentiments of the human being. They went to the polls to vote on a constitution which will guarantee the continuation of their privileges and which will certainly not endanger white supremacy or hegemony in South Africa.

18. The South African Parliament now has three chambers, with one for Coloureds and another for Asians. But will they be able to discuss in those chambers, which are designed from a racist point of view, the

real problems of the country? They will not. The problems which are deemed to be of national importance will continue to be taken up only by the whites, for the whites, as a function of the privileges of the whites. But even those two communities together have fewer seats allocated to them than those reserved for the white minority.

19. If the new constitution has not changed the wretched existence of the black majority of South Africa, nor given them any rights, and if the limited civil rights received by the Asians and Coloured persons are not truly such, what has been reformed? Nothing has been reformed.

20. What is new in South Africa is the increasing awareness in the African masses that their rights will be won only through sweat and blood and that the *apartheid* régime and its allies are being obliged to seek formulas to attempt to cover up the dirty and universally condemned face of *apartheid*, obliged by the African masses' struggle and the international pressure initiated by the Non-Aligned Movement, the socialist countries and other progressive forces, which have finally been joined by a number of Western countries, perhaps a little reluctantly, while the United States has done its best to block this movement.

21. Only a short time ago one of the most important capitalists in South Africa said clearly that it was necessary urgently to seek formulas which would make it possible, without modifying the system, "to adopt measures to prevent an uprising among the 20 million blacks".

22. The adoption of the new constitution of South Africa, the open support of the present United States Administration for Pretoria, Botha's tour of Western Europe and the press campaign to which I have already referred are all component parts of the campaign to make Pretoria, its racist policy and its acts of aggression against the front-line States palatable to the public opinion of Europe and the United States.

23. It is not possible to analyse any element of the situation in southern Africa if we disregard *apartheid*, the occupation of Namibia and the acts of aggression and destabilization against those countries. It is all one package, designed to preserve and extend racism and its rule.

24. I cannot conclude without recalling here the heroic struggle of the fighters of the African National Congress of South Africa (ANC), truly a factor which will one day bring about real change in South Africa, resulting in a democratic system under which South Africans of all races will have equal rights.

25. The Security Council has an obligation to condemn and reject the new constitution of South Africa and to make it quite clear that in the Council's view nothing has changed and that the *apartheid* régime must be ostracized, never to emerge from that ostracism.

26. The PRESIDENT (*interpretation from French*): The next speaker is the representative of Mongolia, whom I invite to take a place at the Council table and to make his statement.

27. Mr. NYAMDORJ (Mongolia): Allow me, first, Sir, to offer you the sincere congratulations of the Mongolian delegation on your assumption of the presidency of the Council for the current month. We are convinced that under your able leadership the Council will successfully discharge its responsibilities. My delegation expresses its gratitude to you and to the other members of the Council for giving me an opportunity to address the Council on the matter under consideration.

28. The attention of the Council has once again been drawn to the situation in southern Africa in connection with the so-called constitutional reforms undertaken by the Pretoria régime. As is known, these so-called constitutional reforms have already been condemned and rejected by the General Assembly at its last session as another criminal action of South Africa, designed further to entrench white minority rule and *apartheid*. The General Assembly also requested the Security Council to consider the serious implications of the so-called constitutional proposals as a matter of urgency [*resolution 38/11 of 15 November 1983*].

29. These manoeuvres of the Pretoria régime must be viewed in the overall context of the racist policy of South Africa aimed at the perpetuation of minority supremacy. At the same time the so-called constitutional reforms are designed to divide the unity of the oppressed people of South Africa, as well as to sow and foment the seeds of enmity and hatred among them. Thus, new attempts are being made to consolidate the abhorrent policy of *apartheid*, which has been repeatedly condemned and qualified by the world community as a crime against humanity and as a threat to international peace and security. It should also be noted that this inhuman policy not only is practised in South Africa itself but is also extended to Namibia, a Territory illegally occupied by the racist régime.

30. Moreover, new acts of aggression are being perpetrated by Pretoria against neighbouring independent African States. This can be seen in the continued occupation by Pretoria of a part of the territory of Angola. It is evident that the *apartheid* régime of South Africa would have been unable arrogantly to defy world public opinion and the numerous decisions and resolutions of the United Nations had it not enjoyed every assistance and support on the part of certain Western Powers.

31. The position of Mongolia on the problems of southern Africa is well known. My Government has consistently supported the just struggle of the peoples of the African continent against colonial domination, racism and *apartheid*. This invariable policy of my Government is a matter of record in the United Nations.

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functions accorded to it by the Charter of the United Nations. Representing, as you do, a small but independent, proud and vigorous African country with great hopes and potential, we may rest assured that the Council will take a proper, just and consistent approach to the grave problem now before us.

43. Once again the international community must speak out to condemn the conduct of South Africa which shows conspicuous contempt for human values and the international norms and principles shared by the Member States of this Organization—norms and principles that are the basis for the harmonious and peaceful existence of States and for the development and self-determination of peoples.

44. It is with just indignation that the whole of Africa has come to the meetings of the Council in order to condemn and reject the insidious manoeuvres of the *apartheid* régime, which are designed to perpetuate that odious system, to divide the heroic people of South Africa and to deceive the international community. But their efforts will be in vain, because all of us present here, without exception and regardless of the special interests which may connect certain Members to that odious régime, clearly understand what really lies hidden behind those so-called constitutional reforms. With equal certainty the heroic people of South Africa will prove able to foil this crude trap and will renew its struggle to eradicate the *apartheid* régime with increased force and unity.

45. Through the so-called new constitution, the South African Government proposes to establish a tricameral parliament, consisting of 178 white representatives, 85 representatives of so-called Coloureds—or persons of mixed race—and 45 representatives of persons of Asian origin.

46. Together the whites, Coloureds and Asians make up 7.8 million, which is barely 27 per cent of the total population of South Africa. This system, apart from the fact that it denies the indigenous population, which make up the large majority, their legitimate rights, is designed to perpetuate the power of the white minority.

47. The exclusion of the indigenous majority has been "justified" by the establishment of 10 entities known as "independent bantustans". About 10 million Africans have been expelled and compelled to live in those bantustans, which cover only an area of 12.7 per cent of the total territory of South Africa. The other 87.3 per cent has been declared the territory of "white South Africa", in which the indigenous inhabitants, the true masters of the soil of South Africa, are deemed to be foreigners. The so-called reforms do not end there. According to those reforms, it is to be decreed that each "racial group" should only be able to discuss in its respective chamber its "own affairs". And the one who would have final say over what constitutes each racial group's "own affairs" would be the President, who would always be a member of the party of the majority

in the white chamber. The Coloureds and Asians would not be able to discuss, for example, the Group Areas Act, which directly affects them and which constitutes one of the legislative foundations of the *apartheid* system.

48. In this way, the so-called new constitution, which was approved on 2 November 1983 by an exclusively white electorate of South Africa, does not alter the bantustanization policy of the *apartheid* régime. Far from that, it institutionalizes that policy and perpetuates the power of the Nationalist Party of the white minority. That is what really lies hidden behind what some have been touting as a recipe for "gradual change" or a "step in the right direction".

49. The situation which we are now debating in the Security Council and the related question of the so-called elections provide a good opportunity for the super-Power allied to South Africa, a super-Power which gives lectures on democracy and elections, to reveal what in practice it understands democracy and elections to mean.

50. It is evident to all that South Africa is perpetuating and perfecting its ignominious racist régime, committing constant acts of aggression against the front-line brother States and continuing its illegal occupation of Namibia, creating an explosive situation in the whole of southern Africa, posing a terrible threat to international peace and security. And this it is able to do precisely because of the protection and encouragement it enjoys from the policy of so-called constructive engagement.

51. An intensive campaign is taking place to rehabilitate the *apartheid* régime. South Africa is being armed with ultra-modern weapon systems. Foreign economic investments exceed \$14 billion. This military and economic co-operation is creating a whole series of political and diplomatic links which, with each passing day, are making it more difficult for certain countries to condemn and reject the odious Nazi system designed by Pretoria. This trend should give us food for thought and reason for alarm, because behind it Pretoria is widening and entrenching its *apartheid* system.

52. My country's position with regard to this abominable situation has been clear ever since the revolutionary triumph that put an end to the Somozist dictatorship on 19 July 1979. Last year, during the debates that preceded the adoption by the General Assembly of resolution 38/11, the Nicaraguan delegation made it quite clear that in the case of *apartheid* there could be but one single and immutable goal: the total eradication of *apartheid* from the face of the earth. The problem of southern Africa cannot be resolved as long as the *apartheid* system exists. Only a non-fragmented South Africa where a racist and inhuman minority does not hold sway and where the dignity of all its citizens is recognized and they are all treated as human beings on an equal footing can provide the basis for a just and lasting peace in the region.

53. Faced with the situation now before us, the Council must take an unequivocal stand, vigorously rejecting and declaring as null and void the new constitution and the elections soon to be organized in South Africa under cover of this bogus legality. At the same time, it must demand of the Governments of all Member States a political conduct consistent and in conformity with its resolutions and in active solidarity with the oppressed people of South Africa in its legitimate struggle for a democratic and just society.

54. We place our faith and hope in the determination of the people of South Africa to stay united. The revolutionary and fighting spirit of Soweto must eventually triumph over obscenity and barbarity. We are even more encouraged after the statement made by the representative of the ANC. The movement to boycott these so-called elections, co-ordinated by the United Democratic Front, comprising more than 600 organizations with a common purpose, is additional proof of the unity and determination of the South African people once and for all to put an end to the Pretoria régime. This great movement deserves our full support and admiration, and it must be seen as an invitation for concerted international action which, above and beyond mere words and declarations, will bring effective pressure to bear and thus mark the beginning of the end of this disgrace to mankind.

55. Mr. KRAVETS (Ukrainian Soviet Socialist Republic) [*interpretation from Russian*]: Sir, allow me first to congratulate you on your assumption of the presidency of the Council. We are convinced that under your wise and able guidance the Council will successfully discharge its responsibilities.

56. We should also like to pay tribute to the representative of the United States, who presided over the Council last month.

57. Despite the clearly and unequivocally expressed will of the international community in its decisive condemnation of the farce of constitutional reforms in South Africa, the Pretoria racist régime intends to hold so-called elections, on 22 and 28 August, and officially to implement the "new" constitution of South Africa.

58. The General Assembly, in its resolution 38/11, adopted on 15 November 1983, the Organization of African Unity and the Movement of Non-Aligned Countries, in documents issued this year, categorically rejected these manoeuvres by the South African racists as running counter to the principles of international law and the fundamental provisions of the Charter of the United Nations. They indicated that the results of the white referendum had no validity whatsoever and that the imposition of the proposed constitution would inevitably lead to an aggravation of tension and conflict in South Africa and in southern Africa as a whole. The election of "Coloured" people and people of Asian origin to the South African parliament, pursuant to the odious plot of the racist Government of South Africa,

seeks to shatter the liberation struggle of the oppressed people of South Africa and sow hatred and enmity among them as they struggle for freedom, equality and prosperity in their own land. That is a horrendous and disgusting ploy which is clearly in line with the old colonial motto: divide and rule.

59. The delegation of the Ukrainian SSR supports the initiative of the Group of African States, which has seen fit to request the Council to state its views on the force of the constitutional transformation of the *apartheid* régime. We have no illusions about the counter-reaction of the Pretoria régime. As has happened so often in the past, the South African racists this time also will disregard the decision of the Council. However, once again the will of the international community will be set forth in a document of the supreme body of the United Nations system, whose decisions are binding on all Member States.

60. The bogus constitutional reforms by South Africa confer half-baked pseudo-rights on the Coloured people and the people of Asian origin in South Africa and legalize the deprivation of any rights whatsoever for the indigenous black population, comprising three quarters of the population. They seek to perpetuate this shameful, inhuman system of *apartheid*. The statements made at times by certain delegations that the constitutional reforms in South Africa are a step in the right direction are absolutely groundless.

61. Like the overwhelming majority of States Members of the United Nations, the Ukrainian SSR believes that the nefarious manoeuvres of the racist régime of Pretoria and cosmetic prettying up of the policy and practices of *apartheid* are an affront to the conscience of mankind; they trample underfoot elementary human rights and fundamental freedoms and grossly violate the principles and norms of international law.

62. *Apartheid*, which is a heinous international crime and a sinister threat to international peace in the region, cannot be transformed into a democratic system. Only its total elimination will mark the beginning of progressive reforms in South Africa.

63. The implementation of the policy of *apartheid* would be impossible without the all-round assistance given to the South African racists by the United States of America and a number of other Western countries. The American Administration's policy of "constructive engagement" with South Africa, the diplomatic cover-up and the political support of the Pretoria racists by the United States internationally—including in the Security Council, where the United States and some of its allies block the adoption of truly effective measures against the illegal *apartheid* régime—the broad-based economic and nuclear collaboration between the United States and South Africa, the contravening of the many United Nations decisions and appeals by the international community—all have acted as guarantees for the inhuman system of *apartheid* and made it invulnerable.

64. The Ukrainian SSR decisively rejects the criminal system of *apartheid* and any manoeuvres aimed at keeping it going. We express full solidarity with the peoples of South Africa and Namibia and their national liberation struggle led by the ANC and the South West Africa People's Organization. We unreservedly support the adoption of effective measures to eradicate *apartheid*, including the adoption by the Council of comprehensive binding sanctions against South Africa in accordance with Chapter VII of the Charter of the United Nations.

65. The PRESIDENT (*interpretation from French*): The next speaker is the representative of Benin. I invite him to take a place at the Council table and to make his statement.

66. Mr. OGOUMA (Benin) [*interpretation from French*]: Mr. President, at the outset I should like to express my gratitude for the honour you have conferred upon me in allowing me to address the representatives of States members of the Council at a time when it is considering the question of the so-called new racial constitution of South Africa. We are indeed pleased to see you presiding over the work of the Council this current month. As a worthy son of Africa, and more specifically of the great Burkina Be people, with which my people is honoured to share the same ideals of peace, prosperity, freedom and dignity, and with your qualities and skills, you are very well placed not only to understand the tribulations of our oppressed brothers of South Africa but also to induce the Council to face up to its responsibilities in the struggle the international community is waging against racism and *apartheid*.

67. I should like to offer your predecessor, the representative of the United States, our congratulations on having conducted the work of the Council last month.

68. As if all the crimes it has committed thus far have not already exceeded all bounds, as if we could still find in the world an individual or State that could believe all its lies, the racist clique of Pretoria has once again been cynically preparing to add a charade to all its misdeeds. What other word is there for this masquerade the *apartheid* régime intends to conduct in the near future? What can we call this electoral referendum in which more than 73 per cent of the population has not been asked to participate, the purpose of which is merely to strengthen a system that has been so condemned, the *apartheid* system?

69. A category of people, the Coloureds and persons of Asian origin, will be voting in the near future, in implementation of the so-called new constitution of South Africa, which has been unanimously condemned by the entire international community and in particular by the General Assembly, which in its resolution 38/11 of 15 November 1983 rejected the so-called constitutional proposals as contrary to the principles of the Charter of the United Nations and declared that the results of the referendum were of no validity what-

soever and that the enforcement of the proposed constitution would inevitably aggravate tension and conflict in South Africa and in the whole of southern Africa.

70. This so-called constitution creates three houses in Parliament: a house for the whites, a house for the representatives of the Coloureds and a house of deputies for persons of Asian origin. It ignores the very existence of 24 million black Africans who are denied the right to citizenship in their native land.

71. As the Council is aware, this is not the first misdeed by the *apartheid* régime. Its very existence is but a long succession of pretences, and the dastardly laws that now constitute its arsenal of repression against the black majority of the South African people have not come about only today. I shall cite some of them: the South Africa Act of 1909, which confiscated all power for the white minority and denied African blacks their most elementary rights, in particular their inalienable right to a fatherland; the Group Areas Act of 1948, which instituted segregation in residential areas and in work places; the Population Registration Act of 1950, which divided the people into racial categories and made it obligatory for Africans to hold identification cards known as passes that must be presented at all times and in all places. Finally, I do not think there is any need to recall the birth certificate of the Republic of South Africa, which as everyone knows was created in 1961 following a racist referendum limited exclusively to a white electorate.

72. The most deplorable consequences of all these misdeeds were the 1960 Sharpeville massacre and the 1976 Soweto massacre. Despite the magnitude of the means of repression of the racist régime, the black people have constantly struggled heroically to assert their rights. They will certainly foil this latest provocation, as they have past provocations.

73. The recent charade was merely an act of desperation, a last-ditch attempt by the racists to protect themselves from the death-blows being dealt by the resistance of the South African freedom fighters. By giving limited political rights to Coloureds and persons of Asian origin, the so-called constitution imposes on them conscription into the racist South African army and seeks to break the united front that blacks, Coloureds and Asians have always formed against oppression, thus obliging the oppressed to take up arms against the oppressed.

74. Above and beyond this cynicism we cannot fail to see a confession here: a confession of weakness, if not failure, by a régime which to keep itself going needs to divide, which to survive needs to pursue its inhuman policies of repression and needs more cannon fodder.

75. But this confession could not be stated. Quite the contrary: a shameful propaganda campaign was launched in an effort to pass off the so-called constitutional proposals as reforms of the *apartheid* sys-

tem. But unfortunately *apartheid*, even in a reformed version, is still *apartheid*, it is still a crime against humanity and it is still as reprehensible. *Apartheid* cannot be touched up; it can only be destroyed.

76. It is up to the Council, like the General Assembly, categorically to reject this sham, which merely institutionalizes *apartheid*. It is up to the Council to impress upon the South African racists that only the complete eradication of *apartheid* and the establishment of a democratic society free of distinctions as to race, based on the principle of majority government, with full and free exercise of the right to vote by all adults in a united, non-bantustanized South Africa, can lead to a just and lasting solution to the explosive situation prevailing in South Africa.

77. Ready for the revolution; the struggle continues.

78. The PRESIDENT (*interpretation from French*): The next speaker is the representative of the Congo. I invite him to take a place at the Council table and to make his statement.

79. Mr. SAMORY (Congo) (*interpretation from French*): I should like, first of all, Sir, to say that it is a real pleasure and an agreeable duty for me to offer you my delegation's congratulations on your assumption of the presidency of the Council for this month of August, a very decisive month, since it calls upon our struggling brothers in South Africa and the entire international community to prepare themselves to foil the latest plot now being hatched by the racist régime of Pretoria. In doing so, I wish to stress our legitimate pride in seeing the representative of Burkina Faso, a friendly sister-country with which my country is united by very recent links of solidarity and co-operation, assuming with enthusiasm the weighty task of presiding over the Council at such a decisive time. Your personal qualities, combined with the seriousness you have always demonstrated, are a guarantee of the success of the current deliberations.

80. I should also like to pay tribute to your predecessor, the representative of the United States, whose leadership of the work of the Council last month was outstanding.

81. The purpose of the present meetings is clear. This Council, as many who spoke before me have already stressed, must reaffirm forcefully and solemnly the international community's condemnation of the South African régime and its obstinate determination to implement so-called constitutional reforms.

82. Everyone knows that South Africa has been one of the most serious problems for the world conscience since the end of the Second World War. The segregationist régime—*apartheid*—which has ruled there since 1948 is nothing less than modern-day nazism. Having established domination of the white race over the non-white races, *apartheid*, like nazism, has persecuted and

is seeking, little by little, to liquidate the so-called inferior races; it will never change its nature. That is why the so-called constitutional reforms the white racists of South Africa are talking about are part of a public relations exercise designed to legitimize a régime which has been deplored by the entire international community and to lessen the wrath that Governments and peoples which cherish peace, justice and freedom have shown against this odious and anachronistic system. The use of Coloureds and people of Asian origin—who had been purely and simply relegated to the ranks of the inferior—against the blacks is an injustice and a crime against the conscience of mankind.

83. The shameful stubbornness of South Africa—now legendary—in flouting the relevant resolutions of the General Assembly cannot and shall never conquer our commitment and our determination to see justice and peace triumph throughout the world, and especially in that part of Africa. Therefore, we shall never tire of reacting whenever the racist, minority, unrepresentative régime of South Africa commits criminal acts against our South African brothers. The purpose of the present debate, as we have said many times before, is to call on the Security Council to continue to shoulder its responsibilities by using all the resources conferred on it by the Charter of the United Nations when international peace and security are threatened.

84. Yesterday [2548th meeting] we listened with indignation to the snide comments made by the representative of South Africa. They deserve no comment from us, except the scorn they warrant. We wish only to remind that representative that *apartheid* is a crime against human conscience and dignity. Therefore, the international community must take full cognizance of that crime in order to castigate it. What we are considering today is not a South African domestic problem; it is neither more nor less than a formula aimed at making *apartheid* more sophisticated and at lulling the international community.

85. General Assembly resolution 38/11 of 15 November 1983 is more relevant than ever before. The elections to take place on 22 and 28 August, we are convinced, have been causing and will continue to cause a real exacerbation of social tension among the South African populations. The international community has condemned the very principle of these so-called constitutional reforms; it must be consistent and must strongly condemn their implementation.

86. The international community, through the Council, has now been called upon to act. My delegation is convinced that, at the end of the current debate, based on the purposes and principles of the Charter, it will take the appropriate counter-measures that will strip any legitimacy from the pernicious manoeuvres of the racist régime of South Africa.

87. Let me say a few words about the situation in Namibia and Angola, where South Africa—for it is

always South Africa—defies the international community, blithely flouting international law and ethics, to say nothing of the relevant resolutions of the United Nations. We wish merely to reaffirm Congo's position, that there can be no linkage of any kind between the presence of Cuban troops in Angola and the process leading to the independence of Namibia. The Namibian people's right to independence is just and legitimate. That independence is inevitable and imminent. South Africa's delaying tactics will be overcome by the combined efforts of the international community and the heroic people of Namibia.

88. Finally, the delegation of Congo, having taken note of the draft resolution submitted by Burkina Faso, Egypt, India, Malta, Nicaragua, Pakistan, Peru and Zimbabwe [S/16700], supports it fully and calls for its adoption by the Council.

89. The PRESIDENT (*interpretation from French*): The next speaker is the representative of Sri Lanka. I invite him to take a place at the Council table and to make his statement.

90. Mr. WIJEWARDANE (Sri Lanka): I take this opportunity, Sir, to thank you, and through you the members of the Council, for giving me this opportunity of addressing the Council on the question of South Africa.

91. It is also my pleasant duty to extend to you our congratulations and good wishes on your assumption of the presidency for the month of August. My delegation is confident that, under your wise counsel and guidance, and with your known diplomatic skills, the deliberations of the Council will see to it that the entire international community is satisfied that justice and impartiality will prevail.

92. It is my pleasure also to thank Mrs. Kirkpatrick of the United States, the President of the Council for the month of July, for the able manner in which the work was guided during that month.

93. My delegation has asked to speak to support the Member States that have already addressed the Council rejecting the so-called constitutional reforms of the Pretoria régime. The subject we are discussing was the focus of the attention of the international community during the thirty-eighth session of the General Assembly, when the Assembly by an overwhelming majority adopted resolution 38/11 of 15 November 1983 which categorically rejected the "constitutional proposals" and all insidious manoeuvres by the racist minority régime of South Africa further to entrench white minority rule and *apartheid*.

94. My delegation was one of the sponsors of that resolution. Sri Lanka has time and again spoken out in all forums against discriminatory practices which violate the ethics of human conduct, and it is totally opposed to distinctions based on class, creed and colour.

Sri Lanka has over a very long recorded history, going back 2,500 years, extended the spirit of loving-kindness to bring help and succour to all humanity, especially in times of need. It is in accord with those noble traditions of the oneness and unity of all mankind that our people have been nurtured. The practice of distinguishing between man and man is repugnant and abhorrent to our way of thinking and acting.

95. The concept of liberty, justice and equality demands an appreciation of the dignity of man. All Member States subscribing by word and deed to such ideals must surely speak out against a practice that makes invidious distinctions based on the colour of one's skin. The very concept of dividing mankind on the basis of skin pigmentation reveals immediately an immaturity of understanding and lack of appreciation of mankind's greatest cultural inheritance—namely, his dignity as a human being. A community or State which refuses to recognize the dignity of man must surely wander into the wilderness in the course of time and perish there, unwept and unsung.

96. Over 70 per cent of the inhabitants of South Africa cannot be bypassed by the mainstream of twentieth-century society, and it is our moral duty to speak up for them at this moment of history. The United Nations helped rapid decolonization and the establishment of States on the basis of the inherent right of all men to determine their own systems of government without let or hindrance from outside and external pressures. The right to self-determination can be established to the full satisfaction of that term only in a milieu where human dignity and human rights are respected and preserved. In terms of that definition, the constitution of a State must, while assuring the right of the State to its sovereignty, territorial integrity and independence, assure all the citizens, without distinction, their inheritance as human beings of their rights and privileges, enshrined for all time in the Charter of the United Nations, on the basis of principles for which men have fought and laid down their lives.

97. The nation which plays host to us in New York is but one striking example of the principle that "all men are created equal, that they are endowed by their Creator with certain unalienable Rights". My country imbibed this message through the intervention of a distinguished American citizen, who, in the latter part of the nineteenth century, through his ministrations to the indigenous population, aroused in them a dignity and determination to take Sri Lanka along the peaceful path to regain its sovereignty, territorial integrity and independence.

98. We are passing through the last years of a century distinguished in the annals of human history for its liberal thinking, and with the next millennium on our doorstep it is our duty and obligation to the rest of our fellow human beings, wherever they are fighting oppression and tyranny, to help them stand on their own feet at the earliest possible opportunity so that they may

join the mainstream of human endeavour to give the world, our planet, an environment we can all be proud of.

99. It is in a spirit of compassion for the vast majority of the South African people that we point out to the Government of South Africa that it should not halt this march of mankind by perpetuating distinctions between its citizens on the basis of skin pigmentation. If the Government of South Africa is committed to hastening the progress of all its people to the goal of a democratic and egalitarian society, as it professes, it must choose the right modality for hastening that progress. It must remember that a minority cannot impose authoritarian rule on a majority people in any form, guise or design.

100. The Government of South Africa would do very well to remember that by its policies it is perpetuating its isolation from the community of nations. Let not that isolation be total in the future.

101. My intervention now is to add the voice of Sri Lanka to the international chorus that vibrates and reverberates in all the councils of nations demanding freedom, justice and equality as the inherent right of the 70 per cent of South Africans left out in the cold. Our deliberations, hopefully, will result in a common response from the Council, demanding that South Africa abandon its so-called constitutional reforms and be guided by its conscience and introduce such reforms as would confer upon all its citizens, without distinction, the dignity and rights that they must enjoy.

102. The PRESIDENT (*interpretation from French*): The next speaker is the representative of Czechoslovakia, whom I invite to take a place at the Council table and to make his statement.

103. Mr. CÉSAR (Czechoslovakia): Sir, let me thank you and all the other members of the Council for giving me this opportunity to express the position of the Czechoslovak delegation on the issue before the Council. At the same time, I congratulate you on your assumption of the important and responsible office of President of the Council and express my conviction that your professional and personal qualities are a guarantee of your successful conduct of this office in the spirit of the progressive, non-aligned and peaceful policy of your country.

104. The negative internal and international consequences of the racist policy of *apartheid* pursued by the Government of South Africa have been on the agenda of the leading bodies of the Organization practically since its very establishment. The Security Council, too, is compelled to deal with a number of manifestations of the *apartheid* policy, which treads underfoot the principles of the Charter of the United Nations and international law and threatens international peace and security.

105. The *raison d'être* for the system of *apartheid* is the unlimited exploitation of the large majority of the non-white population by the white minority. At the same time, *apartheid* ensures conditions favourable to the exploitation of the African work-force and also to the interests of the foreign accomplices of the Pretoria régime and their monopolies, by the use of methods which elsewhere are no longer legally admissible.

106. The *apartheid* theories are being carried out in the policy of the Pretoria régime by means of many reprehensible measures: systematic segregation, the programme of bantustanization, and violation of the political and civil rights of the non-white population. Any opposition or resistance to these measures by the people results in cruel punishment. Administrative repression, arbitrary action, violence and murder are used against the opponents of *apartheid* and fighters for racial equality.

107. Such are the concrete manifestations of *apartheid*. The Government of Pretoria is doing all it can to maintain the system of *apartheid* in spite of the increasing opposition at home and protests from abroad. This is also the purpose of the so-called constitutional reforms approved by a whites-only vote on 2 November 1983. It is intended to drive a wedge between the oppressed victims of *apartheid*, to expand, at least partially, its social basis, so as to include in the repressive apparatus other groups of the population and make *apartheid* more acceptable to some strata of the population of Western countries. It is an attempt to hoodwink public opinion, which has been rightfully and resolutely condemned by the Organization, with the exception of some Western States, and by the entire international community. Such manoeuvres confirm the justification of resolute forms of struggle for the consistent eradication of *apartheid*, including armed struggle.

108. This struggle has become even more inevitable because *apartheid* does not confine itself to acts of oppression and repression in South Africa, but carries out attacks on other States. The Pretoria régime, using naked armed force, is continuing to occupy Namibia illegally and to prevent the Namibian people from exercising its rights to self-determination. In the interests of the United States strategy directed against the progressive development of Angola, it has made inadmissible and totally illegal demands linking the issue of granting the Namibian people independence with the withdrawal of the internationalist Cuban forces in Angola. The rulers of South Africa can take credit for the many acts of direct armed aggression and subversive activities which have been carried out against independent African States. The broad-scale aggression of the Pretoria régime has led to a situation in which the southern part of Africa has been turned into a dangerous hotbed of international tension.

109. The factor enabling Pretoria to carry out, and in many respects to strengthen, the system of *apartheid*,

with all its aggressive consequences for other countries, is the political, diplomatic, military as well as economic support by the United States, certain Western States and Israel. Particularly encouraging and, one might say, life-giving for the maintenance of that system is the policy of the so-called constructive engagement pursued by the United States Government and adopted by some of its allies. Clearly, it did not help eliminate *apartheid* or reach a lasting just settlement of the situation in southern Africa. On the contrary, it represents a serious obstacle to the adoption and implementation of effective measures by the United Nations and, specifically, the Security Council, that would lead to the elimination of *apartheid* in accordance with the will of the international community.

110. The Western States co-operating with South Africa are willingly accepting Pretoria's argumentation about the process of gradual changes in the system of *apartheid* within the so-called constitutional reforms and thus justify their open co-operation with South Africa in all fields and even its further expansion. The course and the results of the recent trip by the Prime

Minister of South Africa to several Western European countries offered evidence of this.

111. The Czechoslovak people and Government resolutely reject the crimes of the system of *apartheid* and are in full solidarity with the struggle of the people of South Africa against racial oppression. They condemn all attempts by Pretoria at introducing any cosmetic changes of *apartheid*, and similar manoeuvres, such as the so-called constitutional reforms. They are convinced that these measures will lead to a further limitation of fundamental human rights of the large majority of the South African population, to a further deterioration of the situation in that country; that these measures will create increased tension and delay possibilities for resolving the serious problems created by South Africa's aggressive policies in the southern part of Africa. Czechoslovakia fully associates itself with the content of General Assembly resolution 38/11, of 15 November 1983, and it will support such measures adopted by the Security Council that will constitute a reaffirmation and further elaboration of that resolution.

The meeting rose at 1.20 p.m.

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UNITED NATIONS



SECURITY COUNCIL OFFICIAL RECORDS

THIRTY-NINTH YEAR

2551st MEETING: 17 AUGUST 1984

NEW YORK

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NOTE

Symbols of United Nations documents are composed of capital letters combined with figures. Mention of such a symbol indicates a reference to a United Nations document.

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The resolutions of the Security Council, numbered in accordance with a system adopted in 1964, are published in yearly volumes of *Resolutions and Decisions of the Security Council*. The new system, which has been applied retroactively to resolutions adopted before 1 January 1965, became fully operative on that date.

2551st MEETING

Held in New York on Friday, 17 August 1984, at 3.30 p.m.

President: Mr. Léandre BASSOLE (Burkina Faso).

Present: The representatives of the following States: Burkina Faso, China, Egypt, France, India, Malta, Netherlands, Nicaragua, Pakistan, Peru, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America, Zimbabwe.

Provisional agenda (S/Agenda/2551)

1. Adoption of the agenda

2. The question of South Africa:

Letter dated 8 August 1984 from the Permanent Representative of Algeria to the United Nations addressed to the President of the Security Council (S/16692)

The meeting was called to order at 4.15 p.m.

Adoption of the agenda

The agenda was adopted.

The question of South Africa:

Letter dated 8 August 1984 from the Permanent Representative of Algeria to the United Nations addressed to the President of the Security Council (S/16692)

1. The PRESIDENT (*interpretation from French*): In accordance with decisions taken at the previous meetings [2548th to 2550th meetings] on this item, I invite the representative of Algeria to take a place at the Council table. I invite the representatives of Argentina, Benin, Congo, Cuba, Czechoslovakia, Indonesia, Kuwait, Mongolia, Nigeria, Qatar, South Africa, Sri Lanka, the Syrian Arab Republic, Thailand, Trinidad and Tobago and Yugoslavia to take the places reserved for them at the side of the Council chamber.

At the invitation of the President, Mr. Sahnoun (Algeria) took a place at the Council table; Mr. Muñiz (Argentina), Mr. Ogouma (Benin), Mr. Samory (Congo), Mr. Velazco San José (Cuba), Mr. César (Czechoslovakia), Mr. Alatas (Indonesia), Mr. Abulhassan (Kuwait), Mr. Nyamdoo (Mongolia), Mr. Onobu (Nigeria), Mr. Al-Kawari (Qatar), Mr. von Schirnding (South Africa), Mr. Wijewardane (Sri

Lanka), Mr. El-Fattal (Syrian Arab Republic), Mr. Kasemsri (Thailand), Mr. Alleyne (Trinidad and Tobago) and Mr. Silović (Yugoslavia) took the places reserved for them at the side of the Council chamber.

2. The PRESIDENT (*interpretation from French*): I should like to inform members of the Council that I have received letters from the representatives of Afghanistan, Guyana, Kenya and Togo in which they request to be invited to participate in the discussion of the item on the Council's agenda. In accordance with the usual practice, I propose, with the consent of the Council, to invite those representatives to participate in the discussion without the right to vote, in conformity with the relevant provisions of the Charter and rule 37 of the provisional rules of procedure.

At the invitation of the President, Mr. Zarif (Afghanistan), Mr. Sinclair (Guyana), Mr. Okeyo (Kenya) and Mr. Adjoyi (Togo) took the places reserved for them at the side of the Council chamber.

3. The PRESIDENT (*interpretation from French*): In my capacity as President I have received a letter dated 17 August from the representatives of Burkina Faso, Egypt and Zimbabwe which reads as follows:

"We, the undersigned, members of the Security Council, have the honour to request that during its meetings devoted to consideration of the item entitled 'The question of South Africa', the Council extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Lesaoana Makhanda, representative of the Pan-Africanist Congress of Azania (PAC)." [S/16704.]

If I hear no objection, I shall take it that the Council agrees to the request.

It was so decided.

4. The PRESIDENT (*interpretation from French*): Members of the Council have before them document S/16700, which contains the text of a draft resolution submitted on 17 August by Burkina Faso, Egypt, India, Malta, Nicaragua, Pakistan, Peru and Zimbabwe.

5. The first speaker for this meeting is the representative of Trinidad and Tobago. I invite him to take a place at the Council table and to make his statement.

6. Mr. ALLEYNE (Trinidad and Tobago): Mr. President, I thank you and through you the members of the Council for having acceded to my request to participate in the debate. I intend to speak as briefly as possible on the matter before the Council.

7. Allow me first to congratulate you, Sir, upon your assumption of the presidency for the current month. With your wide diplomatic experience and your outstanding qualities, I am confident that you will ably and successfully guide the Council during August.

8. I should like also to take the opportunity to express to Mrs. Kirkpatrick of the United States my appreciation of her capable handling of the affairs of the Council during the month of July.

9. The matter before the Council is not one affecting two great Powers able in their own right to defend their interests. Nor, contrary to statements made here, is this an unwarranted intrusion into the domestic affairs of South Africa. The parties affected have no other reasonable recourse but to the General Assembly and the Security Council. In their own native land, in what is in effect their own nation, they are the victims of a brutal régime that has deprived them of all those rights that are held most dear by our international institutions. The latest action by the Government of South Africa seeks to entrench a political, economic and social system inimical to the interests of the black African in all of southern Africa.

10. Eight months ago the General Assembly rejected the "constitutional proposals" of the Pretoria régime and declared them to be contrary to the principles of the Charter of the United Nations [*resolution 38/11 of 15 November 1983*]. In spite of the almost universal opprobrium of the international community, and heedless of the effect which these proposals will have on a tense—indeed, tinder-dry—internal political situation, the régime has gone ahead with their implementation. Elections to the tricameral legislature will take place over the next two weeks, and the three houses are scheduled to meet on 3 September.

11. There are those who maintain that the limited political representation given to the so-called Coloured and Asian people under the "new constitution" is the beginning of the end of *apartheid*, and they imagine that in due course the entry of the representatives of the African majority into government will be facilitated as a result of the white minority having learned to work with other races. In the view of my delegation, this assessment is unrealistic, ignoring as it does the long record of repression and intransigence of the Pretoria régime. We view the so-called "new constitution" as a deliberate process further to entrench white supremacy by polarizing the other population groups, thereby fragmenting their concerted opposition to *apartheid* and therefore further cementing the rigid *apartheid* structures of separate development.

12. We are aware that the régime envisages establishing a different, separate constitutional system for the African majority, based on tribal origin and so constructed as to complement the bantustan system of so-called homelands for the territory's 10 African tribes. The African majority will thus be formally converted into and dubbed tribal "minority groups".

13. Fragmented, separated from their families, relegated to eking out an existence in the arid, infertile and isolated bantustans, labouring under appalling conditions with inferior wages in the mines or living precariously in the townships which border the white cities, the African majority are relegated to the status of migrant workers in their own land, relegated indeed to the status of minority groups and dispossessed of their patrimony.

14. We all recognize that one of the reasons for the régime's giving limited political rights to the Coloured and Asian population groups is to justify conscripting them into the defence force. Viewed in the context of the recent non-aggression pacts which certain States in southern Africa have been coerced into signing with Pretoria, and the régime's latest attempt to impose on Namibia an independence settlement which would bypass the United Nations plan adopted in Council resolution 435 (1978), this strategy takes on particularly sinister overtones.

15. We are witnessing the evolution of a refined system of *apartheid*, built upon a strong, deep and carefully designed foundation. The Pretoria régime is taking precisely calculated steps to give it an economic and military stranglehold on the entire southern African region. The implications for the peace and stability of Africa, and especially the southern part of the continent, are extremely grave.

16. It is essential that those best able to influence the régime do not allow themselves to be hoodwinked by its protestations of good intent and desire to reform. It is of paramount importance that the international community refuse to remain an impotent observer of this latest and extremely dangerous stage in *apartheid*'s evolution.

17. My delegation urges all members of the Council to support the draft resolution rejecting the so-called new constitution. Such a unanimous message to Pretoria would serve to check its overweening confidence and be a great source of encouragement to those within South Africa who are courageously resisting the structure about to be imposed upon them.

18. For half a millennium, black Africa has borne more than its full share of suffering. Nothing but the concerted action of all the Member States of the United Nations, acting through the Security Council, can give hope to this beleaguered people.

19. The PRESIDENT (*interpretation from French*): The next speaker is the representative of Qatar, whom

I invite to take a place at the Council table and to make his statement.

20. Mr. AL-KAWARI (Qatar) [*interpretation from Arabic*]: Thank you for calling on me to speak, Mr. President. I am pleased to congratulate you on your assumption of the stewardship of the Council for the month of August. You are guiding our proceedings with your well-known ability and competence.

21. I also wish to thank the representative of the United States for the excellent way in which she discharged her responsibilities as President of the Council last month.

22. This is my first opportunity to participate in the debate of the Council since I began my term of office at the United Nations last May. I am privileged that the topic under discussion is an issue of common deep concern for us as well as for our African friends and the other Member States, because it involves a flagrant violation of human rights and a crime against humanity: *apartheid*.

23. That crime of *apartheid* has been condemned by the United Nations in several resolutions that have been met with defiance and disregard by the racist régime in Pretoria, which has flouted the international community's collective condemnation of its policies and practices. The "constitutional proposals" and the parliamentary "elections" do not represent a retreat from the policy of *apartheid*, nor do they improve it. They actually entrench this repugnant policy and reaffirm the domination of the white minority, as well as deprive the vast majority of the citizens of the country of any participation in the government, in contrast to a democratic society where all citizens have the same rights and duties.

24. Ever since it has participated in the work of the United Nations, Qatar has condemned the policy of *apartheid*. My delegation has always denounced *apartheid* and rejected discrimination in South Africa by one segment of the population against another, thus depriving 23 million Africans of the most fundamental rights and guaranteeing to the white minority exclusive rule and monopoly over all the resources of the country. This disregards the noble principles of the Charter of the United Nations adhered to by the members of the international community, as well as the instruments and covenants at present constituting contemporary international law.

25. In keeping with this unwavering position, my country supports all efforts towards the implementation of the rights of the majority of the people of South Africa, and, basing itself on the principles of the United Nations and the right of peoples to self-rule in complete equality, it condemns the constitutional manoeuvres of the white minority rule.

26. The "new constitution" of South Africa is designed only for the white minority, which seeks exclu-

sive authority in the country, since it maintains that minority's privileges. As a ploy, it gives to 2.7 million so-called Coloured and to 800,000 persons of Indian origin the right to vote for segregated Houses that have no genuine authority and are completely under the domination of the white Parliament, thus denying the humanity of the indigenous African people—the overwhelming majority—who remain deprived of the right to vote and of taking part in any way in governing the country. What is the meaning of such a constitution and such elections?

27. The implementation of this "constitution" and the holding of such "elections" are not related only to the internal affairs of the country, since *apartheid* and the violation of fundamental human rights run counter to international law. The United Nations must therefore condemn this situation and put an end to it, because its perpetuation will exacerbate tension and conflict in South Africa. The Council cannot sit idle in front of such a situation, and it behoves all its members to shoulder their responsibility and not place any obstacles in the way of the Council's achieving an effective decision.

28. In supporting the right of all the people of South Africa to participate in governing their country without any discrimination, my delegation urges the Council to adopt the draft resolution submitted by eight of its members [S/16700]. We hope that the Council will do so, because the white minority Government will not cease to challenge the will of the international community unless convinced by decisive action, that the States on whose political support it has so far relied—even when flouting that will and repudiating the principles of the Charter and relevant international covenants—have finally decided to take a stand on the side of right and justice and to join in the collective will of the international community as spelt out in resolutions on *apartheid* adopted by the General Assembly and the Security Council.

29. The PRESIDENT (*interpretation from French*): The next speaker is the representative of Indonesia. I invite him to take a place at the Council table and to make his statement.

30. Mr. ALATAS (Indonesia): Sir, may I first express my delegation's sincere appreciation to you and to the members of the Council for giving me the opportunity to participate in the present deliberations on a question of acute concern to all of us. May I also take this opportunity to congratulate you on your assumption of the presidency of the Council for this month, and to assure you of my delegation's high regard for your qualities of statesmanship and diplomatic skill, which will certainly be indispensable for the success of our common efforts.

31. The Council has been convened urgently to consider and to act on yet another in the long series of legal frauds presented to the world by the racist Pretoria régime.

32. For decades the Council and the international community at large have sought to compel South Africa to abandon its inhuman policy of *apartheid*. Pretoria's response has invariably been one of arrogant defiance and repeated resort to devious and fraudulent manoeuvres designed to entrench further an abhorrent, institutionalized form of racial oppression and discrimination, not only in South Africa itself but also in Namibia, which it continues to colonize and to exploit.

33. In a few weeks time, the Pretoria régime intends to put the final touches to the creation of a three-chamber, segregated legislature for the white minority, the so-called Coloured people and people of Asian origin. The elections scheduled for 22 and 28 August are a prelude to the bringing into force of the Constitution Act of 1983. These steps are being touted as "enlightened constitutional reforms" which would purportedly lead towards broader participation by certain sectors of the population in the country's political process.

34. However, the world cannot be deceived by this constitutional hoax, which will bring neither greater democracy nor surcease from the tyranny of racist oppression to the overwhelming majority of the indigenous African people.

35. Indeed, ever since the so-called constitutional reforms were first proposed, and subsequently endorsed by the exclusively white electorate in South Africa last year, they have evoked universal condemnation by the General Assembly of the United Nations, the Conference of Heads of State or Government of Non-Aligned Countries and the Assembly of Heads of State and Government of the Organization of African Unity. And quite significantly, this conspiracy has also been rejected by the so-called Coloured people and people of Asian origin themselves, as well as by their genuine representatives, because they have correctly recognized it for what it is: a classic expression of the colonial device of *divide et impera*.

36. A closer scrutiny of the proposed constitutional changes fully reveals their insidious nature. First, the tricameral legislative system with 178 white members, 85 Coloured members and 45 Asian members is simply a pseudo-parliament, since not only do the whites retain an automatic majority but the President has absolute powers, including the power to convene and dissolve it. Secondly, it is demeaning, as it attempts to co-opt the so-called Coloured and Asian peoples as accomplices and surrogate implementors of the system of *apartheid*. Thirdly, it is wholly non-representative, because the indigenous black majority is totally excluded. In substance, therefore, the changes proposed by Pretoria represent nothing more than a further refinement of the already discredited policy of bantustanization dressed up in quasi-legal form.

37. The implications of these changes are indeed far-reaching and there can be no doubt as to what they will be. They will not only lead to increased strife and

division within South Africa itself and throughout southern Africa as a whole, but will also inevitably aggravate the threat to international peace and security.

38. In view of these potentially disastrous developments, the Council must take a clear and unequivocal stand. The Council has no alternative but to condemn this latest manoeuvre by categorically rejecting the scheduled elections and the imposition of the so-called new constitution. Further, all unilateral actions by the régime against the majority should be considered null and void and likewise rejected unanimously. To do anything less would seriously erode the credibility and authority of the Security Council and the United Nations as a whole. We are confident that resolute action now would provide the much-needed support and encouragement for the African majority in their legitimate struggle against colonial oppression and racial discrimination.

39. *Apartheid* has been universally recognized as a crime against humanity. It is the very essence of human degradation and a violation of the most fundamental of human rights. *Apartheid* therefore cannot be reformed or improved upon by incremental measures. It should be eliminated in its totality. For it is only by building a new non-racial, democratic society based on majority rule that lasting peace and social justice can be established in South Africa and on the African continent as a whole. My delegation expects that all Governments, including those that have continued to lend credence and support to the Pretoria régime, will not shirk their moral duty and political responsibility to join in a common endeavour to secure this objective.

40. The PRESIDENT (*interpretation from French*): The next speaker is the representative of Togo. I invite him to take a place at the Council table and to make his statement.

41. Mr. ADJOYI (Togo) [*interpretation from French*]: Sir, I am particularly pleased, as I am speaking for the first time under your presidency, to extend to you my heartiest congratulations on your assumption of the presidency of the Council for the current month. This is a tribute you fully deserve because of your personal qualities and your diplomatic skills. You represent a country with which my own country has close bonds of friendship and co-operation. We are sure that your qualities guarantee the success of the work of the Council.

42. I should also like to congratulate your predecessor, Mrs. Jeane Kirkpatrick, whose wisdom made it possible for the Council to enjoy a relatively peaceful month of July.

43. Finally, I should like to express my appreciation to the Council for giving me this opportunity to speak on the question of the so-called constitutional reforms in South Africa which has been placed before the Council by the Group of African States.

44. "In the common quest to realize the ideals and objectives of the Charter, we must never lose sight of the quality of the world we are seeking to build and of the ultimate *raison d'être* for all our activities: the individual human being, for whom the Universal Declaration of Human Rights proclaims the right to a social and international order in which human rights and fundamental freedoms can be fully realized."

Those words of the Secretary-General which I have just quoted are particularly relevant as the Council considers the thorny problem of the strengthening of *apartheid* through the so-called constitutional proposals.

45. By placing this matter before Council, the Group of African States wishes once again to alert the international community to the gravity of the development of the system of *apartheid* and to invite it to take action before it is too late. The so-called constitutional reforms are aimed at a single objective, namely, to systematize and further entrench the policy of *apartheid*. They are but an act in a drama which is moving inevitably towards a tragic outcome: the black man, who is already deprived of his rights, will become a non-being.

46. How can we reach any other conclusion when analysing these alleged reforms, when we see that the "constitutional reforms" are aimed at allowing the Coloured people and the people of Asian origin to participate in the political life of the country, whereas 23 million Africans constituting the overwhelming majority of the population are excluded from such participation. Each racial group, excluding the 23 million Africans, will be able to manage its own affairs, but their nature will be determined by the President of the State. Under the new system of constitutional representation, 130 representatives of the Coloured people and of the nationals of Asian origin will sit across from 178 whites, which clearly means that the whites will continue to impose their laws, first on the second-class citizens which the Coloured and Asians will become, and then, of course, on the blacks.

47. One may wonder what logic could give 2.8 million Coloured and 800,000 people of Asian origin in South Africa the right to elect representatives, whereas the 23 million blacks are deprived of that right.

48. The *apartheid* system has its very own logic, since it is based on racial domination. Hence it becomes easy to understand that the goal of the white minority in Pretoria is to transform two thirds of the territory into an area belonging to the whites, in conformity with the 1936 Land Act. One can also understand the policy of bantustanization, with the creation of allegedly independent bantustans, the better to control the blacks while taking away their South African nationality. At the present time the 23 million blacks occupy only 13 per cent of the land, 87 per cent of which remains in the hands of 5 million whites.

49. After having made the black South African a foreigner in his own country as a result of this policy of bantustanization, the Pretoria authorities are now turning their attention to the Coloured people and those of Asian origin—who are not covered by the Race Classification Act and the 1936 Land Act—in order to control them, too, by making them second-class citizens in their service, in particular in the army, where they will be able to use them to annihilate their black-skinned fellow citizens.

50. It is important that these Coloured people and people of Asian origin, who are South Africans, not be deceived. The solidarity that has always existed between blacks and Coloureds must continue if the goal of creating an egalitarian social order is to be attained. The Coloured brothers and those of Asian origin and the white friends who have contributed to the struggle for freedom and justice in South Africa, their homeland, must remain vigilant and not fall into the trap of these new South African manoeuvres.

51. Nationals of Asian origin must not forget—as was so rightly pointed out by the representative of India [2548th meeting]—the important role that some of them have played in the struggle against racism. We shall always remember how Mahatma Gandhi, the father of the Indian nation, worked against oppression in South Africa.

52. When on 2 November 1983 the *apartheid* régime had the so-called constitutional reforms approved by an exclusively white electorate, the international community was not deceived. It reacted, and the General Assembly by an overwhelming majority and without opposition adopted on 15 November resolution 38/11, which, *inter alia*,

"Rejects the so-called 'constitutional proposals' and all insidious manoeuvres by the racist minority régime of South Africa further to entrench white minority rule and *apartheid*".

53. My delegation hopes that the Security Council will also carry out its responsibilities and adopt a resolution also rejecting these constitutional measures aimed solely at strengthening the policy of *apartheid*, which it has already condemned. By taking this stand the Council would remind everyone that the ultimate *raison d'être* of all our activities is mankind, regardless of race, and that by signing the Charter of adhering to it we, the peoples of the United Nations, have determined "to reaffirm faith in fundamental human rights, in the dignity and worth of the human person".

54. As the President-Founder of the Rally of the Togolese People and President of the Republic, General Gnassingbe Eyadéma, said:

"Togo cannot compromise with the situation of injustice and oppression prevailing in that region where a régime unworthy of man and of our times,

one which is contrary to all rules of morality, is maintained at the price of untold violence against a people whose only crime is the colour of their skin."

55. It is time *apartheid* came to an end, and my delegation is convinced that if all States truly wished it, the death-knell of *apartheid* could soon be heard in South Africa. We hope that all States will assume their responsibilities.

56. The PRESIDENT (*interpretation from French*): The next speaker is the representative of Guyana. I invite him to take a place at the Council table and to make his statement.

57. Mr. SINCLAIR (Guyana): Sir, it is with particular pleasure that I see you, the representative of friendly and non-aligned Burkina Faso, presiding over the Council in the month of August. Your well-known diplomatic skills, your efficient manner and your unequivocal commitment to policies based on the principles of equity and justice guarantee that the work of the Council during the month of August will be effectively and successfully concluded.

58. I must also take this opportunity to express to your immediate predecessor, Mrs. Jeane Kirkpatrick, my delegation's appreciation for the very capable manner in which she conducted the business of the Council in the month of July.

59. Ten years ago the Council held an important and profound debate on South Africa's relations with the United Nations. I should like to invite members of the Council to return with me to three statements made in the course of that debate. On that occasion some members of the Council demanded South Africa's expulsion from the United Nations. I recall that debate not out of any intention on my delegation's part to invite a revival of the question of expulsion. I wish to make that very clear. I do so rather in an effort to situate the current debate in an historical context, which, I believe—and I say so with all the humility of which I am capable—could be helpful in our present analysis of the situation regarding South Africa.

60. Speaking in the Council on the occasion of that debate, the representative of the racist minority régime said: "We shall do everything in our power to move away from discrimination based on race or colour." [1800th meeting, para. 104.]

61. Members will recall that the draft resolution requesting expulsion [S/11543] attracted three vetoes. The representative of one veto Power said:

"our world is developing and the situation of Africa is developing. It has changed since last year in the immediate vicinity of southern Africa. There are new factors appearing and those who are stubbornly opposed to change must take them into account." [1808th meeting, para. 80.]

That was said by the representative of France.

62. The representative of another veto Power said that if the Council were to move for South Africa's expulsion,

"It would make it difficult, if not impossible, for the Organization to explore and exploit the recent statements made both here and in South Africa which hold out some hope of change in the right direction." [Ibid., para. 95.]

That was the representative of the United Kingdom.

63. The representative of the United States said:

"We are heartened, indeed, by some encouraging words in this chamber voiced by the representative of South Africa. On 24 October [1800th meeting], he himself implied that the South African Government was responding not in a vacuum but in reaction to world events, not the least of which has been the condemnation of South Africa's *apartheid* . . . policies within this international Organization." [1808th meeting, para. 56.]

Later on he said:

"My Government believes that this kind of all-or-nothing approach would be a major strategic mistake, especially at a time when we are hearing what may be new voices of conciliation out of South Africa. These new voices should be tested." [Ibid., para. 61.]

64. That was 10 years ago. After the expressions of optimism made by South Africa and its Western friends in the Council regarding the possibilities, and indeed the imminence, of change in southern Africa, it could be useful for the Council, as it considers the question of the so-called constitutional reforms in South Africa, to examine the extent to which that optimism has been justified by subsequent events. If this examination proves that that optimism was misplaced and unwarranted, then I suggest that a special responsibility now devolves on those who in 1974 encouraged this feeling of optimism, who, incidentally, have been the ones preventing any action by the Council in respect of South Africa.

65. For purposes of brevity I shall not deal with the various actions taken by the Pretoria régime between 1974 and the present time, which in any case are well known to all of us, and we all know the verdict of those years. The current reality is a piece of draft legislation which it is contemplated will enter into force very soon and which represents a new debasement of the condition of South Africa's black, Coloured and Indian populations, for that would be the result of what has been euphemistically described as South Africa's constitutional reforms.

66. I place special emphasis on members of the black population, the overwhelming majority in South Africa,

whose denationalization will be effectively ratified by these so-called reforms and for whom any prospect of participation in the internal political process is eliminated, at least for the time being.

67. In a real sense, therefore, this debate is not simply about South Africa and the attempts of the Pretoria régime to maintain the supremacy of white minority rule and *apartheid*. It is more than that, in the view of my delegation. It is also a debate about the Organization itself, and its resolve and effectiveness in dealing with large-scale human degradation such as is taking place in South Africa. In particular it is also about those of its members who have permitted the indecency of racism to reach the enormous proportions we are now witnessing in southern Africa while assuring the international community that change is around the corner.

68. Our preoccupation with *apartheid* is of long standing; it is almost as old as the Organization itself. Over the years we have examined, both in the Security Council and in the General Assembly, every facet of that system and its effects upon the oppressed population. The Assembly has consistently called for specific action to be taken by Member States acting individually, as well as by the Council, in order to prevent the spread of the scourge that *apartheid* represents and to exert pressure on the Pretoria régime for introducing change in its policies.

69. A number of States have taken positive action in their own ways, according to their possibilities, for the application of pressure upon the Pretoria régime. But this has not been enough to achieve the purposes intended. While condemnation of *apartheid* has been world-wide, there has unfortunately never been a solid international consensus on the need to do something concrete about it. And this lack of consensus has been systematically exploited by South Africa.

70. The Council has consistently been called upon to take certain kinds of actions against South Africa because of its racist and aggressive policies. Those calls have always enjoyed the support of an overwhelming majority of Member States, but there have always been a few to prevent the Council from acting in the manner requested. What has most helped sustain South Africa and the continuation of *apartheid* is the régime's conviction that in the last resort its perceived economic and strategic value will prevent its Western friends from taking action which will help make difficult the chances of survival of *apartheid*. And those Western States concerned have done or said little to shake that conviction. Quite the contrary: by their attitudes and actions they have encouraged such a conviction and helped make possible excesses such as we are witnessing now in South Africa.

71. Some States are not too small for their own internationally recognized efforts at national reconstruction to attract external scrutiny, with significant commitments of energy and resources, all under the banner of a

concern for human rights. However, *apartheid*, despicable and inhuman as it is, involving the large-scale and systematic dehumanization of the overwhelming majority of the people of South Africa, does not provoke similar responses—either because its victims are predominantly black or because of the profit motive involved, or out of strategic considerations or some combination of these factors. Whatever the reason, it is indeed a sad commentary on the nature of the commitment which some States profess to have to the maintenance of certain values that the *apartheid* policies of the Pretoria régime should find the encouragement they are finding in the attitudes of some Western States.

72. A legislative travesty such as the so-called reforms we are considering may serve to remove blacks from participation in the political process, but there is no legislation that can cause the nationalist sentiment of South Africa's black majority to disappear. There can be no legislation against black anger, which these measures do so much to further stimulate. The Council will recall, as it looks back over the past seven decades of black protest in South Africa, how fitful, diffident and even moderate that protest was in its early days. It was the obstinacy of South Africa's ruling cliques, rebuffing black demands at every turn, that forced the black majority of South Africa into positions of greater militancy and toughness. The constitutional measures we are now considering only lead to more anger and alienation.

73. There is still time to channel those feelings into avenues consistent with peaceful change, if the Pretoria régime were interested in such a process. But for the time being, since it is excluded from political participation, South Africa's black majority will express itself in the only way left open to it. The Pretoria régime cannot drive the majority of its population into a legal limbo, fuelling their anger in the process, and wonder at the consequences. There will be more Sharpevilles and more Sowetos, each more intense, perhaps, than the preceding. Many will fall, but in falling they will also be handing over the torch to others who will carry forward the fight for human dignity.

74. These constitutional reforms underscore the pressing need for this Council to take early action for the dismantling of the hateful *apartheid* system. The horizons of hope to which South Africa pointed in 1974 have long since been darkened by the very actions of the Pretoria régime itself. What is the pretext now? What else do we now wait for?

75. In the meantime, I should like to join my voice to those of delegations which preceded me here in expressing support for a decision by the Council rejecting the so-called constitutional reforms and calling on States not to accord any recognition whatsoever to the result of the so-called elections to be held later in the month of August.

76. The PRESIDENT (*interpretation from French*): The next speaker is Mr. Lesaoana Makhandia, to whom

the Council has addressed an invitation under rule 39 of its provisional rules of procedure. I invite him to take a place at the Council table and to make his statement.

77. Mr. MAKHANDA: Allow our delegation, Sir, which is speaking here on behalf of the discriminated-against, dispossessed, oppressed, exploited and struggling masses of our country, Azania, to congratulate you on your assumption of the presidency of the Council for the month of August. We are confident that your leadership qualities, characterized by your diplomatic skills, will ably guide these deliberations and facilitate the efforts of the Council to arrive at a just and humane decision.

78. May I also join those who before me expressed their appreciation and admiration to your predecessor, Mrs. Jeane Kirkpatrick of the United States, for the manner in which she guided the deliberations of this Council last month. Again with your permission, Mr. President, my delegation wishes to express its guarded satisfaction at the position taken by the United States representative when she spoke in exercise of the right of reply yesterday [2549th meeting]. We take note of that position.

79. Last but not least, our thanks go to our brothers and sisters in the Group of African States, the Movement of Non-Aligned Countries and the socialist States, and to all others who have stood with us during this debate. To all of them we say, if I may quote a brother who was in a liberation movement which has now succeeded, "The voice of the people is the voice of God, and it will always triumph."

80. On 2 November 1983, the white-only electorate, representing one fifth of the total population of Azania, voted in a referendum on the constitutional proposals worked out by the Pieter Botha wing of the ruling all-white Nationalist Party. Needless to say, since the passage of the then so-called constitutional proposals, much discussion and controversy, both inside and outside of Azania, has been engendered.

81. The new constitution, officially called the Republic of South Africa Constitution Act, provides for a tri-racial three-chamber parliament consisting of a 178-member house of assembly for whites, an 85-member house of representatives for so-called Coloureds—a term used in *apartheid* South Africa for persons of mixed race—and a 45-member house of deputies for people of Indian origin. Here it might be interesting to note that if somebody says that he is a member of the house of representatives one automatically knows that he is a Coloured, and if somebody says that he is a member of the house of deputies one automatically knows that he is of Asian origin.

82. Whites, so-called Coloureds and people of Indian origin, voting on separate voters' rolls, will elect members of parliament to serve in three separate houses of

parliament. Together, the whites, so-called Coloureds and people of Asian origin currently number 7.8 million, or 27 per cent of South Africa's total population. Looking carefully at the four-to-two-to-one ratio of representation worked out by the ruling Nationalist Party, it becomes quite evident that effective power will lie in the hands of the current white minority rulers.

83. It will also be noted that the new constitution totally excludes the indigenous African majority. Their exclusion is "justified" by the establishment of 10 so-called independent bantustans, where they must "exercise citizenship and political rights". Already, some 10 million Africans have been affected by evictions and expulsion into the bantustans. The 10 envisaged bantustans will eventually cover only 12.7 per cent of the total land area of South Africa. The remaining 87.3 per cent has been declared "white South Africa", where the indigenous African, the rightful owner, has been arbitrarily declared a foreigner.

84. The system, under the new constitution, which will be effective as of 3 September, is designed to work in such a way that even if all the so-called Coloured and Asian-origin members of parliament combined with a white opposition amounting to as much as 49 per cent of the white chamber, they could not stop a white chamber majority of only 51 per cent based on the 2.5 million Afrikaners from controlling the Government. Real power, therefore, will always remain in the hands of the Nationalist Party, the present ruling party.

85. Moreover, straightforward majority rule by the proposed and envisaged combination of whites, so-called Coloureds and people of Asian origin is also excluded. Each race group will run "its own affairs". What constitutes their "own affairs" is also defined, and it includes culture, schooling, art, recreation, community planning and social welfare. Everything else, by definition, is of "common concern". It should be noted that the so-called Coloured and Asian members of parliament will not be allowed to introduce any subject in their own racial chamber unless the new constitutional act is accompanied by a certificate from the State President saying that the subject matter deals with the "own affairs" of the population in question.

86. In essence, the so-called Coloured and Asian members of Parliament will be allowed to discuss only those "own affairs" issues approved by the State President, who will always be a member of the majority party in the white Chamber. For instance, the so-called Coloured and Asian members will not be able to discuss the Group Areas Act, which affects them directly and which constitutes a key pillar in the application of *apartheid*, because it is not considered as, and does not fall within, the "own affairs" category. Consequently, the so-called Coloured and Asian Chambers will be mere talking shops, discussing those topics approved by the State President.

87. Another aspect of the new constitution that has received much attention is the powers bestowed on, or

vested in, the State President. The State President, to be elected by an electoral college, will be the most powerful person in *apartheid* South Africa. The electoral college will comprise 50 white members, 25 so-called Coloureds and 13 people of Asian origin. The white collegians thus outnumber the others by 30 per cent, thereby ensuring that the State President will always be white and from the majority white party—in this case, the racist Nationalist Party.

88. The State President will have the power and authority to appoint any number of cabinet ministers and deputy ministers and to preside over the Cabinet; dissolve Parliament or any House of Parliament; proclaim or terminate martial law; declare war and peace; decide what are the "own affairs" of a particular population group—and his decision about this may not be tested or commented upon in a court of law—and dictate to the Houses of Parliament what legislation they may or may not discuss. Any bill on "own affairs" introduced in a House must be accompanied by a certificate from the State President saying that it deals with the "own affairs" of the population group in question. The State President may also remove or transfer people in the service of the State. The control and administration of black affairs will also be vested in him. In addition to all these and other far-reaching powers, the State President will be in control of all revenues of the Republic. We might see this in relation to the scandal of the slush fund the former Prime Minister, John Vorster, was involved in, and its repercussions.

89. Given that the so-called new constitution in no way alters the bantustanization policy of the *apartheid* régime, but, rather, institutionalizes it; given that power will perpetually remain in the hands of the Nationalist Party, the architects of *apartheid* under the new constitution; given that the so-called Coloured and Asian members will be incapable of introducing any change not approved by the racist Nationalist Party, it is obvious that the new constitution is a mere fraud and reflects no change whatsoever in the substance of *apartheid*. On the contrary, the so-called new constitution entrenches and institutionalizes *apartheid*. Thus it is not a recipe for "gradual" change or "a step in the right direction". It might well be said that it is a step to the right. It simply represents white supremacy in a more subtle guise.

90. The general focus of debate on the new South Africa constitution by its apologists in the international community has been, and continues to be, on its structure rather than on its nature. The emphasis has been on the sovereignty of the State rather than on the sovereignty of the people. And yet the foundations of democracy are the sanctity and dignity of the individual. In that respect we may reflect on the sentiments expressed in the American Declaration of Independence as self-evident truths: "that all men are created equal . . . with certain unalienable Rights, that among these are Life, Liberty, and the pursuit of Happiness." To establish and protect these principles is the main

function of government. In the same vein, Alexis de Tocqueville refers to a "general law—which bears the name of justice—and which is not peculiar to any group of people but accepted by a majority of mankind."

91. It is this universality of justice which is reflected in the declaration on human rights in the Charter of the United Nations and which it is the heavy responsibility of the Security Council to protect from dishonour. The Governments of the Member States of the United Nations have different structures, so it is not the structure of the South African Government that is at issue but its nature—that is, the basis of its structure: its disregard for the individual as the universally accepted denominator in government and its emphasis on race. Given that proposition, it is irrelevant that the new constitution excludes the majority of the people—the Africans. An additional, fourth Chamber would still be based on racial lines. It would still emphasize the group over the individual. The State would still define the individual, thus imposing forced allegiance by the individual first to a group, rather than to a principle common to all mankind.

92. As stated above, there are those who argue that the new constitution is a step in the right direction, that it will eventually transform itself into an instrument of democratic government based on respect for the individual. The inherent racial foundation of the constitution, however, invalidates such a prediction. Arguments of the various groups discredit this prediction and clearly indicate that the conflict between race and individual as a basis for a just government cannot be ignored.

93. Among people of Asian origin, objection to participation is based on the constitution's restriction to narrow Indian concerns, to the exclusion of the greater concerns in the African and Coloured communities. The objective of those favouring participation, on the other hand, is to discredit the constitution with a negative vote because of its racial nature.

94. Similarly, the so-called Coloureds favouring participation also object to the non-integrated political parties and to the exclusion of Africans, and those that favour a boycott argue that the constitution entrenches *apartheid* and divides the "politically black" Coloureds from identifying with the African majority. It is this general rejection of the racist basis of the constitution that provided Botha's opposition to a referendum for so-called Coloureds and people of Asian origin.

95. The overwhelming approval of the new constitution by whites simply reinforces the arguments advanced by the so-called Coloureds and people of Asian origin for and against participation, which is that it perpetuates white domination. The difference between the "No" vote and the "Yes" vote is based on the best means of perpetuating that domination, with the "Yes" vote depending on the new structure to do it better than the old.

96. It is the exclusion of the African majority from this structure of government that has become the common focus of attention. To blacks, however, it is the racial basis of this structure that is objectionable, and it is that basis which guarantees its failure, and will continue to do so. It is rejected because the individual is only a statutory entity. Its foundation is therefore laid on racial prejudice, the exclusion being only one facet of that prejudice.

97. As for the oppressed, exploited and dispossessed people of Azania and the custodian of their true aspirations, PAC, until the real problem is addressed—that of the land, that of non-racialism, and that of supremacy of the individual—any constitution will be meaningless as regards our struggle for national liberation.

98. The South African representative's statement to this body yesterday noted: "Prejudice is not inclined to yield to reason" [2548th meeting, para. 78]. Since the new constitution is based on prejudice, it can therefore be assumed that it cannot be changed through reason. What then are the alternatives? To the oppressed, exploited, dispossessed, and the discriminated against masses of Azania, the answer is obvious.

99. The PRESIDENT (*interpretation from French*): I shall now make a statement in my capacity as representative of BURKINA FASO.

100. Since 1946, the United Nations has had before it the issue of the policies and practices of *apartheid*. The so-called constitutional reforms recently introduced by the racist régime of Pretoria are a mere variation of those policies and practices of which Pretoria is a past master.

101. During its thirty-eighth session, the General Assembly exposed the true nature of the so-called constitutional reforms. It not only rejected them, but clearly identified the conditions which, if they were to exist, would lead inevitably to a just and lasting solution to the explosive situation maintained by Pretoria in South Africa. These conditions are, among others, the total and final elimination of *apartheid* and the creation of a democratic non-racial society based on majority rule.

102. Today, it is once again up to the Council to make itself heard. It is important for the future of the just cause of the oppressed people of South Africa that it succeed in this. It can do so if each of its members makes an objective and honest appraisal of the situation as it prevails in South Africa and speaks one and the same language: the language of freedom, the language of justice and of equality, the language of human dignity. Such an evaluation would lead to the revolting conclusion that the major goal pursued by racist South Africa through the so-called constitutional reforms is to perpetuate the domination of the white minority, and in order to succeed in this it is trying desperately but stubbornly to break the unity of the oppressed majority by instigating internal conflicts and by killing politically the indigenous Africans.

103. The new political provisions exclude 24 million Africans, who thereby cease to be citizens. The others, who are supposedly involved in the system, are actually on the mere fringe of society and are reduced to the role of puppets. Actually, within the framework of the new programme as contemplated, very clear information is given. The white Parliament will be called a chamber of assembly and will retain its 178 seats. The so-called Coloureds will elect, on the basis of a separate list, an 85-member house of representatives; those of Asian origin will elect, also on the basis of a separate list, a 45-member chamber of deputies. Under the provisions of those proposals, the role of the house of representatives and that of the chamber of deputies is a mere fiction, because all they can discuss is their own affairs.

104. It is important that the Council show firm determination to thwart the increasingly cynical, Machiavellian initiatives taken by the Pretoria racists. This, of course, can be done only if certain States which are known to have influence over the *apartheid* régime abandon the ambiguous position they have taken and show the world that their abhorrence of *apartheid* is genuine and sincere. For it is from that ambiguous position that the racist régime draws strength in its oppression of the martyred people of South Africa.

105. Only thus, in our view, will true change take place in South Africa.

106. The General Assembly has set the tone by adopting resolution 38/11 of 15 November 1983 on the question we are currently considering.

107. When all attempts at legitimate opposition to the dilatory manoeuvres of the racist régime have been severely repressed, the Council cannot and must not remain deaf to the appeals of the Democratic Front to the international community. It must, through unequivocal decisions, help the people of South Africa in their just struggle to put an end to *apartheid* and to create a truly democratic South Africa. It must go far beyond the position adopted by the General Assembly, unless it is felt that the majority of the population in South Africa is so black that it is difficult to pity it.

108. For its part, Burkina Faso is determined to support this oppressed people by all possible means so that freedom, justice, equality and human dignity may be the best shared values of the world.

109. I now resume my function as PRESIDENT.

110. Mr. KRISHNAN (India): On behalf of the eight non-aligned members of the Council that have sponsored the draft resolution contained in document S/16700—Burkina Faso, Egypt, India, Malta, Nicaragua, Pakistan, Peru and Zimbabwe—I should like to inform the Council that we have been engaged in consultations with regard to the text of the draft resolution, as you yourself, Mr. President, and the members of the Council are aware.

111. I wish on behalf of the sponsors to inform the Council that as a result of these consultations we have agreed to make a few changes in the text of the draft resolution that was circulated yesterday. First, we have agreed to delete the second preambular paragraph. Secondly, in the original fifth preambular paragraph, now the fourth, the expression "*apartheid* armed forces" has been changed to read "armed forces of the *apartheid* régime". Also in the same paragraph, the word "aggression" has been changed to read "aggressive acts". Thirdly, in the last preambular paragraph, the words "and conflict" have been deleted, as has the last clause in that paragraph—namely, the words "thereby exacerbating the threat to international peace and security".

112. Those are the changes which the sponsors have agreed to make in the draft resolution that is now before the Council. It is their hope that the spirit of accommodation shown by them in accepting those changes will evoke a positive response from all members of the Council and that the Council will now be able to adopt this draft resolution by an overwhelming majority, if not, indeed, by unanimity.

113. The PRESIDENT (*interpretation from French*): Before putting the draft resolution to the vote, I shall call on those members who wish to speak in explanation of vote before the voting.

114. Mr. van der STOEL (Netherlands): As this is my delegation's first intervention this month, may I start by congratulating you, Sir, on your accession to the presidency. We are confident that your diplomatic skills and experience will continue to guide the Council in the discharge of its difficult task.

115. May I also on this occasion express my appreciation for the exemplary and able manner in which your predecessor, Mrs. Jeane Kirkpatrick of the United States, conducted the business of the Council during the month of July.

116. At the request of the Group of African States, the Council has convened to discuss the new South African constitution, which will take effect on 3 September after parliamentary elections later this month for the Coloured people and the people of Asian origin in South Africa. The system of institutionalized racial segregation and oppression, known as *apartheid*, has been the object of perennial debate in the Council and other bodies of the United Nations and has been condemned in countless resolutions. The repeated appeals of the United Nations to South Africa to abolish this abhorrent system, however, have gone unheeded as the South African Government persisted in its racial policies in defiance of the expressed will of the international community.

117. It is hardly surprising, therefore, that the international community adopted an attitude of deep scepticism when the South African Government introduced

its policy of constitutional reform. The limited scope of the constitutional proposals themselves seemed to warrant such wariness on the part of world opinion. First of all, these proposals did not emanate from a body representative of the people of South Africa as a whole. They were endorsed by a referendum in which only the white electorate took part, to the exclusion of other groups. The basic flaw of the constitution, however, lies in the fact that it utterly fails to address the most pressing, all-important issue: the disfranchisement of South Africa's black majority. The new constitutional framework does not remove the elaborate maze of laws on which the structure of *apartheid* rests, nor does it contain any provisions for an eventual scheme of power-sharing with the black people of South Africa. It is distressing to note that the South African Government remains stubbornly wedded to its grand design of separate development, which makes South Africa's blacks strangers in their own country by depriving them of their South African citizenship and relegating them to bantustans. Despite the obvious bankruptcy of this concept and the fact that the international community has unanimously rejected and condemned the policy of bantustanization, the Government of South Africa continues to proclaim that the creation of the remote, congested and impoverished so-called homelands has already settled the constitutional future of the blacks.

118. Perhaps it could be argued that the new constitution, although it fails to take into account the legitimate aspirations of the black majority of the population, represents a small step in the right direction because, for the first time, it involves two other groups, the Coloureds and the Asians, in the political process. From this point of view, the constitutional reforms have sometimes been interpreted as a first tentative sign of change which, if carefully fostered, could open the doors to power-sharing for other groups as well and which might ultimately lead to the gradual elimination of *apartheid*. Unfortunately, a closer examination of the constitution makes it difficult to be optimistic in this regard. For even though the Coloured and the Asian people will be enabled to cast their ballots for the seats in their chambers of the envisaged tricameral parliament, the new constitution severely limits their political gains. Clearly, the constitution has been drafted with a view to perpetuating the political domination of the white minority and sustaining the *apartheid* system.

119. Against this background, the opposition of South Africa's black leaders to the coming elections and the widespread suspicion, voiced by many speakers in this debate, that the new constitution has been designed further to entrench the system of *apartheid*, becomes understandable. As long as the majority of South Africa's people remains excluded from genuine participation in the process of political and economic decision-making, the Government of South Africa must be held responsible for the continuing explosive situation in the country and its dangerous consequences for the peace and stability of the entire region.

120. Surely it is not up to the Council to pass judgement on the legal validity of a Member State's constitution or electoral processes. However, the Council is fully entitled to demand the abolition of the policies of *apartheid* and the establishment in South Africa of a society in which all its citizens can participate freely in the determination of their future and enjoy their internationally recognized human rights. My Government cannot but disapprove of a constitution which denies those rights to the great majority of the people in South Africa and falls far short of the fundamental reforms necessary to bring peace and stability to South Africa and its neighbours.

121. In this spirit, my delegation will vote in favour of the draft resolution introduced by Burkina Faso, Egypt, India, Malta, Nicaragua, Pakistan, Peru and Zimbabwe [S/16700]. As we have affirmed time and again, there is no alternative to the complete abandonment of *apartheid* and the establishment of a multi-racial, truly democratic society in which all the people of South Africa, irrespective of race or colour, enjoy equal rights.

122. The Netherlands will support initiatives in the Council which would increase the pressure on the South African Government to embark upon a process of meaningful reforms leading towards this goal.

123. Mr. LOUET (France) [*interpretation from French*]: I should like most warmly to congratulate you, Sir, on your assumption of the presidency of the Council for the month of August. You may rest assured of the complete co-operation of my delegation in the performance of your difficult task.

124. I should be grateful if you would kindly transmit to the representative of the United States, Mrs. Kirkpatrick, our appreciation of the remarkable manner in which she conducted the proceedings of the Council last month.

125. As everyone knows, France categorically condemns the policy of *apartheid* of the South African Government. We seek its abolition and the establishment in South Africa of a just society based on equal rights and respect for the dignity of every man and every woman.

126. Viewed in the context of this moral imperative, the changes made to the South African constitution are at best a rearrangement within the *apartheid* system. But the system itself and its very foundations remain unchanged.

127. The vast majority of the inhabitants of South Africa continue to be treated as foreigners in their own country because their skin is black. The policy of forced resettlement of populations and the creation of bantustans has been pursued relentlessly.

128. That is why France continues, as it has done in the past, to condemn the policy of *apartheid* of the

South African Government. Just as it voted last November for the resolution before the General Assembly, my delegation will vote in favour of the draft resolution now before us [*ibid.*], in spite of our doubts concerning the competence of the Council in the matter and our reservations with regard to some of the language in operative paragraphs 1 and 2.

129. The PRESIDENT (*interpretation from French*): I shall now put to the vote the draft resolution contained in document S/16700.

A vote was taken by show of hands.

In favour: Burkina Faso, China, Egypt, France, India, Malta, Netherlands, Nicaragua, Pakistan, Peru, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, Zimbabwe.

Against: None.

Abstaining: United Kingdom of Great Britain and Northern Ireland, United States of America.

The draft resolution was adopted by 13 votes to none, with 2 abstentions [resolution 554 (1984)].

130. Mr. SCHIFTER (United States of America): My country's deep commitment to equal rights for all, irrespective of race, is firmly anchored in law, in our day-to-day practices and in our people's basic views of society and government. So is our adherence to the principle of universal franchise.

131. It follows naturally that we have on repeated occasions in the United Nations most emphatically expressed our strong opposition to all forms of racial discrimination, including, in particular, racial discrimination as practised in South Africa. Our justification for thus expressing ourselves on what at one time may have been deemed a matter of internal affairs of a sovereign nation is that through the Charter of the United Nations we have pledged ourselves to promote and encourage human rights and fundamental freedoms for all without distinction as to race, sex, language or religion.

132. The Charter's pledge, stated briefly and succinctly, was elaborated on by the Universal Declaration of Human Rights. It is in that document that we can find express provisions dealing with circumstances such as those which the resolution now before us has once brought to our attention, namely, the denial by South Africa of the basic rights of citizenship to a majority of the people of that country on grounds of race.

133. We value most highly the standards laid down in the Universal Declaration of Human Rights. We note that article 21, paragraph 3, provides as follows:

"The will of the people shall be the basis of the authority of government; this will shall be expressed

in periodic and genuine elections which shall be by universal and equal suffrage and shall be held by secret vote or by equivalent free voting procedures."

The foregoing section must be read in conjunction with the first paragraph of article 2 of the Declaration, which reads:

"Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status."

134. As I have said, we value the principles of government set forth in the Universal Declaration most highly. We deeply believe in their universality, their applicability to all Members of the United Nations. Thus, if we were called upon to vote on a draft resolution which stated that a country acted in violation of the Universal Declaration, if that country deprived its citizens or a portion of its citizens of the right to participate in genuine elections to choose its government, and if such a draft resolution were placed before an appropriate United Nations forum, we would vote "yes". It follows, with reference to the facts of the case before us, that we would vote for a draft resolution presented in the proper forum that found that South Africa violated the Universal Declaration when it chose its Government through a voting system not providing for universal and equal suffrage.

135. It is our view that the Universal Declaration—as its name implies—calls for universal application. We most certainly do not support its selective application, holding one country up to its high standards and totally ignoring violations of its most fundamental precepts in others. It is for that reason that I have quoted verbatim the text of the provisions of the Declaration which, we believe, are here being violated. Anyone familiar with political conditions around the globe will recognize that, though South Africa is indeed guilty of one form of violation of article 21 of the Universal Declaration, some of its severest critics violate the very same article in other ways. This is not to say that the fact that South Africa is not the only violator of article 21 excuses its violation. But it is to say that the application of simple principles of fairness would require us to cast a wider net.

136. The Council has found that South Africa is acting in violation of the Universal Declaration notwithstanding the fact that the procedure under which the violation takes place is enshrined in the basic law of that country. We agree that the United Nations may enter such a finding and express its views thereon even though the procedures complained of are expressly authorized by domestic law, be it a Constitution, statute, other legislative enactment or executive decree. In other words, we do not believe that Article 2, paragraph 7, of the Charter can be interpreted to render the Universal Declaration a nullity. We believe that by

signing the Charter a Member State has necessarily agreed to allow its actions towards its own citizens to be examined for their conformity with universally accepted standards of human rights. It follows that we do not believe that the fact that racial discrimination is enshrined in the Constitution of South Africa withdraws the matter from United Nations scrutiny.

137. The point I have just made is relevant because of the problem of selectivity to which I referred earlier. We believe that the fact that provisions of the Constitution of South Africa have here been subjected to examination and have been condemned should be remembered the next time that the defence of domestic jurisdiction is raised to shield an alleged human rights violator from scrutiny within the United Nations system. As Mrs. Kirkpatrick stressed in her remarks yesterday [2549th meeting], we believe that the principle that Governments should derive their authority from the consent of all the governed, as expressed in free elections, has equal applicability and equal relevance everywhere.

138. I have thus explained our position with regard to the facts of racial discrimination which underlie the situation that has been the subject of discussion in the Council. As I have made clear, we would have been prepared to join others in registering our opposition to racial discrimination in South Africa by voting for an appropriately worded draft resolution in an appropriate United Nations forum. The resolution on which we have voted does not in our view meet that test.

139. In our view the Security Council is not the appropriate forum in which this matter should be considered. In making this observation I am not raising a mere technical point. On the contrary, I am raising a fundamental question about the present-day operations of the United Nations.

140. The United States wants to see the United Nations attain the goals set for it by the framers of the Charter. But that can be done only if the Organization acts within the framework provided by the Charter and if its pronouncements fairly and accurately set forth statements of the relevant facts, free of hyperbole and other inappropriate emendations.

141. Under Article 24 of the Charter it is the responsibility of the Security Council to maintain international peace and security. My Government holds to the view that the severe threats to regional security which have existed in southern Africa are today being effectively dealt with by a growing number of States in that region. An opportunity now exists for sustained progress in curbing violence, negotiating mutually acceptable solutions and pressing ahead with the urgent agenda of peaceful change. Under the circumstances, no issue is posed which is appropriately within the purview of the Council.

142. Just as positive change in South Africa can reduce the risks of violent regional confrontation, so too

can strengthened regional security promote a positive climate for change within South Africa. Thus, turning to the substance of the operative portion of the resolution now before us, it is the view of the United States that a process of change for the better is under way in South Africa. It is in that context that my Government sees the constitutional developments in South Africa. We have not endorsed and do not endorse those constitutional developments, nor do we believe that current changes in that country are adequate as a solution to its problems in that they do not deal with the fundamental issue of the political role of black South Africans. Sponsors of this resolution have argued that by expanding the franchise to include persons of Asian and so-called Coloured descent the South African Government is foreclosing the further extension of the franchise to a majority of South Africans and thereby entrenching *apartheid*. We understand this concern, but we do not share it. It is our hope and expectation that this constitutional change is a first step. Though further steps are not guaranteed, they are also not excluded. It is for that reason that we do not find ourselves in agreement with the basic tenets on which the resolution is based.

143. Let me say that I was very much impressed by the profound remarks of the representative of Guyana just a short while ago. He reminded us of statements made during a debate on South Africa 10 years ago. It is difficult during a period of social change in a country to determine with certainty the direction of that change and the speed at which it is occurring. Our own view remains that there are reasons for hope of peaceful change for the better.

144. The hope I have just expressed—the hope for further progress in South Africa towards the goal of equal rights—is not based on mere wide-eyed unjustified optimism. Ours is a multi-racial society. Though we are in important ways different from South Africa, we have faced some similar problems, problems we did not resolve overnight. But under decisions rendered by the Supreme Court of the United States, and under laws enacted by our Congress, we embarked, about 40 years ago, on a process of eliminating all vestiges of legally authorized racial discrimination in all parts of our country. That process began slowly—in the view of many participants, much too slowly—but as time passed the pace accelerated, and in the end the barriers fell at a speed not anticipated as recently as 20 years ago. For once the barriers started falling, it was not only the legal barriers that fell; as a new generation grew up, that new generation was characterized by a new outlook and a new commitment to human brotherhood.

145. Our own history and our knowledge of the evolution of democratic institutions in other countries strengthen our view that this year's broadening of South Africa's franchise is not the end of the road. We shall continue to encourage attainment of the ultimate goal of universal, non-discriminatory suffrage in South Africa. The role of the United Nations should in our

view be to encourage attainment of this goal through appropriate measures taken in appropriate forums.

146. The purpose of any pronouncement by the United Nations should be to contribute to a peaceful solution of the problem with which it deals. Our focus should at all times be on the fate of the people we seek to assist, not as an abstract concept but as men, women and children of flesh and blood, each of whom is entitled to protection and enhancement of his or her human rights. Our objective should not be the formulation of resolutions which are ends in themselves but to effect improvements in the lives of those individuals, including, importantly, improvements that affirm their dignity as human beings. My country is deeply committed to this objective. It will therefore continue to pursue it in all its efforts to improve the conditions of life in southern Africa.

147. In the light of the views I have here expressed, my country's position on the draft resolution on which we have voted was best reflected in an abstention.

148. Mr. MARGETSON (United Kingdom): May I first of all join the other speakers in this debate in congratulating you, Sir, most warmly on your assumption of the presidency of the Council.

149. May I also join in thanking the representative of the United States, Mrs. Jeane Kirkpatrick, for her distinguished presidency of the Council during the month of July.

150. My Government shares the desire of the sponsors of the draft resolution on which we have just voted to see an end to *apartheid*, which is a practice that we condemn strongly and unreservedly. This is a matter of public record on which I do not need to expand beyond reminding members of the Council that the Prime Minister of my country made our abhorrence of *apartheid* very clear to the South African Prime Minister when she saw him recently.

151. My delegation must, however, reserve its position both as regards the issue of the new South African Constitution and on certain aspects of the resolution which are of a more general nature.

152. My Government's position on the new South African Constitution was fully explained during the General Assembly debate at its thirty-eighth session, in November 1983. We hold to the view that it is for those in South Africa to judge what is best for them. But we have made very clear on many occasions that we are looking for progress towards constitutional arrangements which are acceptable to the people of South Africa as a whole. We share the concern expressed in this resolution about the absence of any provision in the new Constitution for the black majority. This is a serious shortcoming. It would, however, in our view, be wrong to make a final judgement now about the new arrangements. For this reason my Government has

consistently declined to take a position on these which might put at risk prospects for facilitating the process of change in South Africa which we would all like to see.

153. My delegation is also unhappy about some of the language in the text of the resolution before us. It is, for instance, not our view that the new Constitution has transformed South Africa into a country for whites only. Nor do we accept that the references to the legitimacy of the struggle relate to armed struggle or extend to the use of force. It is also our view that only the people of South Africa can determine their future and that it is not for outsiders to prescribe solutions, nor to determine the validity or otherwise of internal arrangements.

154. For these reasons my delegation abstained on the vote.

155. May I add that, for my delegation, this debate has been notable for some impressive and moving speeches. But I greatly regret that on such an occasion, when I would hope that all of us in the Security Council could seek to emphasize our common position towards *apartheid*, the representative of the Soviet Union should have chosen to inject, very strongly, a note of East-West conflict.

156. My country does not approach the subject of *apartheid* from the point of view of East-West relations. It would be cheapening to the subject to do so, and furthermore I believe it is not respectful to the countries of Africa, which are so closely concerned with this matter, to do so.

157. Mr. OVINNIKOV (Union of Soviet Socialist Republics) [*interpretation from Russian*]: I can understand that the representative of the United States did not take the risk of speaking in reply to the Soviet delegation, and asked his junior partner to stand in his stead. The representative of the United Kingdom has said here that we should all be united when we deal with the question of *apartheid*.

158. Yes, representative of the United Kingdom, we are all united here; we should all be united in putting an end to investments in *apartheid* representing billions of dollars, investments which benefit the investors. These investments in *apartheid*, moreover, have been made by the United Kingdom. Yes, representative of the United Kingdom, all of us here—or almost all of us—agree that we must put an end to trade with the *apartheid* régime, but the United Kingdom for some reason does not care to agree with that point of view and continues to trade with the *apartheid* régime.

159. Yes, representative of the United Kingdom, almost all of us agree that it has long been high time for sanctions against the *apartheid* régime, but your delegation, along with the delegation of the United States, has constantly blocked the adoption of such sanctions. That is the difference between the words of the rep-

resentative of the United Kingdom, to the effect that he is against *apartheid*, and the deeds of the United Kingdom.

160. The PRESIDENT (*interpretation from French*): I call on the representative of the United States, who wishes to speak in exercise of his right of reply.

161. Mr. SCHIFTER (United States): Our decision not to respond to the remarks of the Soviet Union was one that had been thought through. It was our intention to deal with the very profound human problem that is before us. As we have indicated, we are deeply concerned about the lives of people in southern Africa, men, women and children; not, as we said, an abstract concept, but people of flesh and blood.

162. We did not want to divert and, in a way, cheapen, that particular concern by engaging in a verbal boxing match.

163. The PRESIDENT (*interpretation from French*): I call on the representative of the United Kingdom, who wishes to speak in exercise of his right of reply.

164. Mr. MARGETSON (United Kingdom): I am afraid that I was unable to hear everything that was interpreted in my ear-piece during the right of reply of the representative of the Soviet Union because he was speaking so extremely loudly. Nevertheless, I did hear that he referred to my country as being the "younger brother" of the United States. I can only suppose that he has, yet once more, got his history wrong. I need say no more.

165. I think he seems to be confusing the relationship between my country and the country whose representative is seated to my left with that between his country and the country whose representative is seated to his right.

166. If I could make just one very obvious point, I think that the Soviet right of reply proved my remarks completely, to the hilt.

167. The PRESIDENT (*interpretation from French*): I call now on the representative of Algeria.

168. Mr. SAHNOUN (Algeria) (*interpretation from French*): After the Security Council's adoption of a resolution strongly rejecting the new constitution proposed by the Pretoria régime and declaring it null and void, along with the elections scheduled for the end of August, I wish to say on behalf of the Group of African States that we are very pleased indeed. We consider that the Council has now, like the General Assembly, affirmed that the ideology of *apartheid* is the main obstacle to peace and stability in South Africa and in southern Africa as a whole. Any initiative, constitutional or otherwise, which forms a part of that ideology cannot create conditions for sincere dialogue among the communities concerned, and cannot create conditions

for genuine democracy in South Africa. That is the point that needs to be stressed.

169. The Council, like the General Assembly, has thus reminded the Pretoria régime that 24 million Africans cannot be deprived of the citizenship which is their fundamental right. To try to confine those 24 million Africans to so-called bantustans is as inadmissible as the Nazi policy of concentration camps.

170. Thus the Council's message is clear, and we know that this evening the South African people are delighted with its decision, especially because—and this is by no means the least important point—it reaffirms the legitimacy of their struggle to eliminate *apartheid*. This gives them a glimmer of hope and shows that they will have support, support which will be greatly appreciated. It is regrettable only that some

members of the Council deemed it necessary to abstain in the vote, notwithstanding the concessions made by the sponsors of the draft resolution. We note, however, that in their statements, these delegations reaffirmed their opposition to *apartheid*.

171. The PRESIDENT (*interpretation from French*): The Council has thus concluded the present stage of its consideration of the item on the agenda.

The meeting rose at 6.20 p.m.

NOTE

¹ Official Records of the General Assembly, Thirty-eighth Session, Supplement No. 1 (A/38/1), p. 3.

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